

MAYOR OF LONDON

Paul Nichols

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

Our ref: D&P/3820/GC/04

Your ref: P/1940/16

Date: 29 January 2018

For the attention of: Mongezi Ndlela (case officer)

Dear Mr Nichols

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Harrow School, Harrow on the Hill, London HA1 3EA
Local planning authority reference: P/1940/16

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

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

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

i. Inappropriate development on Metropolitan Open Land

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

I would, nevertheless, be minded to withdraw this direction if the applicant were to submit revisions to the application that would propose a new sports building (of a significantly reduced footprint to that currently proposed) on the site of the existing sports hall. I strongly encourage the applicant to engage with GLA Planning, Harrow Council and other relevant stakeholders in order to pursue this.

Yours sincerely



Sadiq Khan
Mayor of London

cc Navin Shah, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Richard Holland, Rivington Street Studio, 23 Curtain Road, Shoreditch, London EC2A 3LT

29 January 2018

Harrow School, Harrow on the Hill

in the London Borough of Harrow

planning application no. P/1940/16

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of existing sports hall, Peel House, museum cottage, gardeners compound, Boyer Webb Pavilion, and a pavilion next to the athletics track; and construction of a new sports building over 3 levels (7,307 sq.m.); a new science building over 3 levels (3,675 sq.m.); a new landscaping core (from Chapel Terrace to the athletics track at the base of the Hill); new visitor car parking on Football Lane (adjacent to existing maths and physics school buildings); re-routing and re-grading of a private access road; alterations to landscaping and servicing for dining hall; and, relocation of multi-use games area for Moretons Boarding House.

The applicant

The applicant is **Harrow School**, and the architect is **Rivington Street Studio**.

Strategic issues summary

The proposed sports building is **inappropriate development within MOL** and is harmful by definition. Moreover, the proposed sports building (as a consequence of its excessive footprint and location) would result in harm to the openness of the MOL, which is not off-set by the proposed land swap arrangement. Substantial weight is attached to this harm. Whilst the application responds to the curriculum requirements of the school and would deliver public benefits as a result of the proposed community use agreement, GLA officers do not consider that the harm through inappropriateness and the harm to openness is clearly outweighed by these or any other considerations, and that individually and cumulatively these would not amount to very special circumstances. Accordingly, **very special circumstances do not exist**. Therefore, the application does not comply with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF.

The Council's decision

In this instance Harrow Council has resolved to grant permission subject to planning conditions and conclusion of a Section 106 legal agreement.

Recommendation

That Harrow Council be directed to refuse planning permission, for the reason set out in paragraph 15 of this report.

Context

1 On 16 May 2016 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 Category 3D of the Schedule to the Order 2008: *“Development – (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floor space of more than 1,000 square metres or a material change in the use of such building.”*

2 On 27 June 2016 the Mayor considered planning report D&P/3820/01, and subsequently advised Harrow Council that the application does not comply with the London Plan for the reasons set out in paragraph 86 of the above-mentioned report. 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.

3 On 16 November 2016 Harrow Council considered the case at planning committee; however, a decision was deferred to allow additional time for:

- i. the applicant to consider the re-siting of the proposed sports building outside of Metropolitan Open Land, and (if that proves unfeasible), to pay particular attention to the potential for locating the new sports building at the existing sports hall site;
- ii. the applicant to improve the appearance of the proposed buildings in terms of scale, design, architecture and materiality to ensure that the proposed buildings were of a high quality; and,
- iii. the applicant and the Council to develop the terms of the proposed community use agreement in more detail.

4 Following additional information and justification provided by the applicant to Harrow Council in response to point (i); the submission of minor design amendments in response to point (ii); and further development of the terms of the proposed community use agreement in response to point (iii), the case was returned to Harrow Council’s planning committee on 21 June 2017. The committee subsequently resolved to approve the application, subject to the final details of the community use agreement being brought back to the planning committee for approval.

5 On 6 September 2017 Harrow Council’s planning committee considered the final draft of the community use agreement, and resolved to approve the application subject to planning conditions and conclusion of a Section 106 legal agreement.

6 Further to the above, and following a period of joint discussion between GLA officers, Harrow Council and the applicant team in relation to point (i) of paragraph 3 above, the Council formally advised the Mayor of this decision on 16 January 2018. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged; or, direct Harrow Council under Article 6 to refuse the application. The Mayor has until 29 January 2018 to notify the Council of his decision and to issue any direction.

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

Stage 1 consultation response

8 At consultation stage Harrow Council was advised by the Mayor that the application does not comply with the London Plan, for the following reasons:

- **Principle of land use – provision of education facilities on MOL:** The proposed school redevelopment, in particular the Sports Building is ‘inappropriate’ development on MOL and the applicant is required to demonstrate very special circumstances to justify the development. The MOL swap arrangement is acceptable as it is well considered and will result in a net gain in footprint, with equivalent or greater MOL quality, more functional and open landscaped area. This MOL land swap identified in the Harrow School SPD, the academic needs, and the proposed enhanced community use, all combine to constitute very special circumstances justifying the ‘inappropriate’ development of the proposed Sports Building on MOL.
- **Community use:** Whilst the School’s commitment for an enhanced community use of the sports facilities is welcomed and supported, the applicant should continue its engagement with the local community, nearby schools and sport clubs in the production of the community use plan, which demonstrates the extent of proposed community use of the facilities, in a form that can be secured by the Council to ensure delivery.
- **Sustainable development – energy:** The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan, which is welcomed. However, various technical concerns need to be addressed before compliance with London Plan energy policy can be verified.

9 The Mayor also sought various planning conditions to secure: biodiversity measures; LPA approval of architectural materials and detailing; inclusive access measures; sustainable drainage measures; and, submission of a delivery and servicing plan and construction logistics plan.

Update

10 Since consultation stage various revisions to the application have been submitted, including an updated visual impact assessment - which tests additional visualisations of the scheme from a variety of new viewpoints. Moreover, in response to concerns raised at Harrow Council’s committee meeting of 16 November 2016, the applicant was required to provide further details of the site selection process, and, in particular, to investigate the potential for locating the new sports building at the existing sports hall site.

11 Following thorough consideration of this new information, and notwithstanding Harrow Council’s subsequent acceptance of the applicant’s justification for the proposed approach of providing the new sports building on a largely undeveloped greenfield site (Harrow Council planning committee meeting of 21 June 2017), GLA officers led a further review of the alternative site assessment. This comprised a series of joint meetings and design workshops with the applicant and the Council to fully explore the associated assumptions and constraints that had led the applicant to propose development at the current largely greenfield location. This work went significantly further than the previous assessment led by Harrow Council, and began to explore in design feasibility terms how it may be possible to address the identified challenges and constraints in order to meet the School’s sports requirements at the existing sports hall site. Ultimately a position was reached where it had been demonstrated that it was feasible in design terms to deliver the sports brief for Harrow School at the existing sports hall site. However, due to the potential temporary disruption and compromises for both School and community use during the demolition

and construction phase, the applicant has chosen to proceed with the current application and not work up fully revised plans for submission.

12 Accordingly, further to the Mayor's consultation response of 27 June 2016, the strategic issues of this case have been reconsidered in light of all available information (including further information on visual impact; alternative site selection; and, the design feasibility of meeting the sports brief for Harrow School at the existing sports hall site). An updated assessment follows below.

Strategic planning policy and guidance update

13 The Mayor published his draft London Plan for public consultation in December 2017.

Officer recommendation – refuse planning permission

14 This report sets out the matters that the Mayor must consider when deciding whether to: allow Harrow Council's draft decision to proceed unchanged; or, direct Harrow Council under Article 6 to refuse the application.

15 Further to the consideration within this report GLA officers have concluded that, the proposed sports building is inappropriate development within MOL and is harmful by definition. Moreover, the proposed sports building (as a consequence of its excessive footprint and location) would result in harm to the openness of the MOL, which is not off-set by the proposed land swap arrangement. Substantial weight is attached to this harm. Whilst the application responds to the curriculum requirements of the school and would deliver public benefits as a result of the proposed community use agreement, GLA officers do not consider that the harm through inappropriateness and the harm to openness is clearly outweighed by these or any other considerations, and that individually and cumulatively these would not amount to very special circumstances. Accordingly, very special circumstances do not exist. Therefore, the application does not comply with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF. On balance, it is recommended that the Mayor directs refusal of the application for the following reason:

i. Inappropriate development on Metropolitan Open Land

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

Outstanding strategic planning issues

16 Further to the above reason for refusal, an assessment of the outstanding strategic planning issues on this case is set out below. The applicant is strongly advised to have regard to the issues discussed below if a revised application is to be submitted.

Metropolitan Open Land

17 As set out above, the application proposes construction of a new science building (3,675 sq.m.) and a new sports building (7,307 sq.m.). The proposed sports building constitutes inappropriate development on Metropolitan Open Land (MOL). For the avoidance of doubt, GLA officers are satisfied that the proposed science block, located outside of MOL, is acceptable in strategic planning terms. Notwithstanding this, these proposals collectively form part of a single planning application, which must be assessed and considered on its own merit.

18 London Plan Policy 7.17 affords MOL equivalent protection to Green Belt, and makes clear that inappropriate development should be refused, except in very special circumstances. Policy G3 of the draft London Plan maintains this approach and strongly promotes the extension of MOL designations where appropriate.

19 The abovementioned references to ‘inappropriate development’ and ‘very special circumstances’ flow from the National Planning Policy Framework (NPPF). The NPPF makes clear that inappropriate development is, by definition, harmful to Green Belt. Moreover, the NPPF states that the construction of new buildings in Green Belt should be considered as inappropriate, unless the proposed development falls within a list of exceptions set out in NPPF paragraphs 89 and 90.

20 Having considered the characteristics of the scheme against the list of NPPF exceptions, it is clear that the proposed sports building represents inappropriate development on MOL. Accordingly, the proposed development is, by definition, harmful.

21 For the proposed inappropriate development to be acceptable it is necessary to demonstrate that very special circumstances would exist to clearly outweigh the harm proposed to MOL.

22 Paragraph 88 of the NPPF makes clear that *“very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”*

23 At the local level, Core Policy 1 of the Harrow Core Strategy seeks to safeguard and enhance MOL, whilst the Core Strategy area objectives for Harrow on the Hill seek to safeguard the special character of the Hill and support the continued role of local schools in the area in terms of providing: education, economic growth and community facilities. The role that local schools play in terms of managing land and buildings is also specifically acknowledged by the Core Strategy. The Harrow Council Development Management Policies DPD provides more specific policy for application when assessing development proposals that would affect MOL. In this regard part D of Harrow Council Policy DM16 makes clear that proposals for inappropriate development on MOL will be refused in the absence of clearly demonstrated very special circumstances.

24 Further to the local policy context set out above, the Council has also adopted a Harrow School SPD. The SPD has been developed by the Council with Harrow School in order to support the development and change of the School’s estate over the next 20 years. As part of this approach the SPD envisages the provision of an enhanced sports building for the School on MOL, and page 27 of the SPD acknowledges that the increase in floorspace and building footprint associated with this would be harmful and inappropriate. The SPD sets out that the potential for increased community use alone is unlikely to amount to ‘very special circumstances’.

25 The SPD goes on to present the principle of an MOL 'land swap', involving construction of a new sports building on the area of MOL as currently proposed, and trading off this impact through the creation of an enhanced landscaped core (in an area which is currently not MOL). The SPD states that this new landscape core could subsequently be designated as MOL.

26 Notwithstanding this, the SPD makes clear that the acceptability of this 'land swap' would be subject to detailed demonstration of the openness of the proposed core landscape area, having regard to the cumulative impact of existing buildings and those proposed to be removed or constructed within or in the vicinity of the proposed MOL.

27 In general, GLA officers accept the principle of an MOL 'land swap' as part of a potential package of mitigation for inappropriate development on MOL. However, as set out within the SPD, the acceptability of any such approach hinges on the detail and specifics proposed, and a rounded and thorough assessment of the impact on openness and a balanced judgement of very special circumstances.

28 As part of the assessment of very special circumstances undertaken at consultation stage (refer to GLA report D&P/3820/01), significant weight was attributed to benefits associated with the proposed MOL 'land swap'. However, following the provision of additional information (discussed in paragraph 12) and robust further analysis, GLA officers have concluded that the potential benefits of the land swap have been significantly overstated (refer to paragraphs 29 to 35 below). Accordingly it is necessary to revisit the assessment of openness impact and very special circumstances (refer below).

Characteristics of the proposed MOL 'land swap'

29 As discussed in paragraph 18 above, Policy G3 of the draft London Plan strongly promotes the extension of MOL designations where appropriate. Part D of this policy sets out criteria which help to define where land should be designated as MOL (at least one of these criteria must be met). The criteria include: contribution to the physical structure of London by being clearly distinguishable from the built-up area; open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London; features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value; and, forming part of a strategic corridor, node or a link in the network of green infrastructure (in addition to meeting one of the aforementioned criteria).

30 Moreover, whilst paragraph 7.56 in support of London Plan Policy 7.17 states that development which results in the loss of MOL in return for the creation of new open space elsewhere will not be considered appropriate, it is noted that paragraph 8.3.2 of the draft London Plan explicitly states that the principle of 'land swaps' may be applied to MOL - on the basis that the land to be 'swapped in' meets at least one of the criteria under Policy G3 part D.

31 The proposed 'land swap' area covers 8,695 sq.m. Predominantly 'green' and open in nature, the area is of varying character but, nevertheless, already performs a function of openness. The area includes a formal lawn arrangement at Chapel Terrace, which currently experiences a notable sense of enclosure from the wider school campus due neighbouring historic buildings and the density of trees and shrubs along the eastern and southern boundaries. The remainder of the 'land swap' area is characterised by more informal soft-landscaped areas, access routes, and a collection of four small buildings (Peel House and Gardner's buildings) with a combined footprint of 297 sq.m.

32 The 'land swap' area is subject to various heritage designations, and is overlapped entirely by the Harrow School Conservation Area. Further to this, more than half the area (at Chapel Terrace) forms part of the immediate setting to a chain of Listed Buildings running along the ridge of the Hill. The 'land swap' area also falls within an Archaeological Protection Area.

33 Further to the above it is noted that the scheme proposes to demolish the four existing buildings within the 'land swap' area, and to incorporate the area as part of a wider piece of comprehensive landscaping at the application site (refer to paragraph 43 below).

34 In general GLA officers are of the view that the proposed 'land swap' area could in principle meet the requirements of part D of draft London Plan Policy G3 and the Harrow School SPD. Accordingly, the principle of using the Section 106 agreement to afford this land equivalent protection to designated MOL, until the boundary may be formally reviewed as part of the Local Plan process, is accepted. However, and notwithstanding this, GLA officers are of the view that the value of the 'land swap' in terms of its contribution as mitigation of inappropriate development on MOL requires robust interrogation.

35 As noted above, the proposed land swap area is subject to numerous heritage designations. The terrace and formal lawn area at Chapel Terrace (approximately 5,220 sq.m., 60% of the 'land swap' area) is particularly sensitive, and is therefore unlikely to be developable irrespective of whether this land would become designated as MOL or not. Moreover, as discussed in paragraph 31, the 'land swap' area is already predominantly 'green' and open in nature. Therefore, further to consultation stage report D&P/3820/01, GLA officers have concluded that the net contribution of the 'land swap' area to MOL openness in spatial terms is actually equivalent to 297 sq.m. (the combined footprint of the four existing buildings that are proposed to be demolished within this area), given that the remainder of the land proposed to be included as MOL as a result of the swap is already open and likely to remain largely undeveloped in the future in any event. This net gain is insufficient as compensation for the proposed net loss of 2,553 sq.m. of MOL, which would arise as a result of the proposed sports building (once the footprint of existing buildings proposed to be removed from MOL has also been accounted for).

Alternative site selection

36 As discussed in paragraph 3, following Harrow Council's planning committee meeting of 16 November 2016, the applicant was instructed to consider alternative sites for the proposed sports building, paying particular attention to the existing sports hall site. As discussed in paragraphs 4 and 5, Harrow Council subsequently accepted the applicant's justification for the proposed approach and ultimately resolved to approve the application on 6 September 2017. Further to the Council's draft decision, GLA officers sought to review the consideration of alternative sites, and set up a series of joint meetings with the applicant and the Council to fully explore the associated assumptions and constraints that had led the applicant to propose development at the current largely greenfield location. As discussed in paragraphs 10 to 12 above, the GLA therefore has new information in respect of consideration of alternative sites which was not available at earlier stages of consideration of the application.

37 The challenges of site topography, spatial separation of functions and the various planning and heritage designations across the school estate allowed for many alternative sites to be quickly discounted, and officers focused on potential options for providing the sports building on the existing sports hall site. It is acknowledged that there are various constraints associated with the existing sports hall site (including: need to provide temporary sports facilities during construction; disruption to existing community use; need to divert sewer; proximity to Grade II Listed music building; potential impacts on local views; and, potential impacts on woodland). However, if tackled as part of a collaborative design process, GLA officers are of the

view that these constraints are capable of being overcome; and that a replacement facility on the existing site would represent a much more appropriate response to national, strategic and local planning policy. Such an approach must therefore be pursued.

38 Accordingly, in line with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF the applicant is strongly encouraged to revise the scheme in order to locate the proposed sports building on the site of the existing sports hall and to deliver a significant reduction to the currently proposed sports building footprint through: the stacking of internal functions; cutting into the landscape; and, investigation of any new opportunities for delivering internal efficiencies.

Impact on openness

Existing characteristics of Metropolitan Open Land at Harrow School

39 The Harrow School site straddles High Street and extends down into green open space on the east and west sides of the Hill. A total of 84% of the School estate (103 hectares) is designated as MOL, and it is noted that the Harrow School estate accounts for a third of all MOL in the London Borough of Harrow. This, combined with the wide dispersal of School assets on and around the Hill, has contributed to a school campus of uniquely 'open' character (with unsecured boundaries in many areas). More generally, it is also recognised that Harrow School's ownership and management of this land over the centuries has been instrumental in the large-scale preservation of these existing green open spaces.

40 The proposed sports building site is located at the edge of the largest single expanse of MOL on the School estate, on the west side of the Hill. Whilst the MOL is in the private ownership of the School, there are various public footpaths running through the area to the south and west of the proposed site; including the Capital Ring, which is routed east-west across Harrow School Playing Fields from Watford Road to High Street, via Football Lane (west of the proposed sports building site). More generally it is understood that the unsecured nature of the School site has in some instances allowed informal access off designated footpaths and highway into the School estate. However, such public access is generally discouraged by the School, unless it is part of existing arrangements for community use.

Characteristics of the proposed sports building

41 The sports building is for Class D1 educational use, and is proposed to be located entirely within MOL at the foot of the Hill. The building would be adjacent to the School's athletics track, approximately 30 metres from the existing sports hall site. It is noted that this general location allows for a good functional relationship with the existing outdoor sports areas and playing fields on the east side of the Hill.

42 The footprint of the proposed sports building is 4,600 sq.m. Notwithstanding this it is noted that part of this proposal involves the demolition of various existing buildings in MOL (including the existing sports hall and various pavilion buildings collectively totalling a footprint of 1,750 sq.m.). The total gross internal area of the proposed sports building is 7,307 sq.m., and the building has been designed to respond to the sloping profile of the site by cutting into the Hill. This approach allows for some of the mass of the building to be 'buried' within the landscape - helping to reduce overall height/visual impact. This arrangement contributes to the varied height of the proposed sports building, from 4 metres at the northern elevation to 12.5 metres at the southern elevation.

Characteristics of the landscaping proposals

43 The applicant proposes to demolish the current sports hall and various pavilion buildings, and to return these sites to MOL. The sports hall site, in particular, is proposed to be reprofiled and landscaped to provide informal amenity space. As discussed above, it is also proposed to demolish the four existing buildings within the proposed MOL 'land swap' area in order to enhance the sense of openness at this part of the site. The 'land swap' area would form a key part of a new east-west route from Chapel Terrace to the sports ground at the bottom of the Hill. The route (which would comprise various landscaped character areas), would function as a useful pedestrian access spine for neighbouring school buildings, and would also open up an attractive new view from Chapel Terrace into the heart of MOL at Harrow School Playing Fields.

Harm to the openness of MOL

44 Openness includes a spatial and volumetric element, but is an "open texture" concept, which can include visual impact as well (as confirmed by the Court of Appeal in *Turner v Secretary of State* [2017] 2 P. & C.R. 1).

45 The proposed sports building comprises 4,600 sq.m. of built footprint on largely undeveloped MOL. This inappropriate development would cause significant harm to the openness of the Metropolitan Open Land due to its footprint, impact on visual openness and its location on predominantly greenfield land.

46 Notwithstanding this, GLA officers are of the view that the proposed harm would be partially offset by the removal of the existing sports hall and other buildings in MOL (totalling 1,750 sq.m. in footprint). This of itself would have some impact in terms of increasing openness, however, is insufficient in offsetting the harm to openness resulting from the new sports building.

47 Further to the above, it is also noted that the applicant proposes a landscaped extension to MOL as part of the 'land swap' arrangement, as well as the removal of various existing buildings from within the MOL 'land swap' area (totalling 297 sq.m. in footprint). However (as discussed in paragraph 35), given that the majority of the land proposed to be included as MOL as part of the 'land swap' is already open and likely to remain largely undeveloped in any event, this does not offset the harm to openness resulting from the new sports building.

48 Cumulatively, were the proposed MOL 'land swap' to be appropriately secured and effected via Section 106 agreement, the proposed development could be said to result in a net increase of 2,553 sq.m. of development footprint on MOL (accounting for the removal of existing buildings within MOL and within the MOL 'land swap' area). For the avoidance of doubt, GLA officers are of the view that the increased openness that would be achieved as a result of the demolition of existing MOL buildings and the MOL 'land swap' would not offset the significant harm proposed as a result of the new sports building.

Cumulative visual impact on the openness of MOL

49 Since consultation stage a revised visual impact assessment has been submitted which includes additional visualisations of the scheme. The assessment tests a variety of viewpoints from positions along the public footpaths south and east of the site, as well as a number of long range and close proximity views from within non-publicly accessible areas on the School's private estate. Having considered the visual impact (and attaching more weight to views from publicly accessible areas) GLA officers generally observe that the scheme would result in a perceived north-south lateral spread of development on MOL at the foot of the Hill. This would

result in significant harm to visual openness. Whilst it is noted that some enhancement to general visual openness would occur as a result of the proposed landscaping strategy and opening up of a new east-west route (discussed in paragraph 43 above), this would be best experienced from Chapel Terrace; which is not a publicly accessible area, and is not currently designated as MOL. Officers conclude that, cumulatively, the visual impact of the proposal would result in significant harm to openness.

50 In general, officers are of the view that the impact on MOL openness is significantly exaggerated by the layout and positioning of the proposed sports building. Currently, development in this area of the school estate (including the maths and physics building, The Knoll boarding house, modern languages, music building and existing sports hall) is clustered in a linear pattern from east to west along Football Lane/Music Hill. This, in conjunction with screening from vegetation, allows the existing pattern of development to be perceived as a compact and consolidated component within the landscape. However, the proposed location of the new sports building on an area of MOL which is currently predominantly green and open diverts from this approach, and would contribute to the unacceptable sprawl of development across a significantly wider area of MOL. This approach is in direct conflict with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF.

51 Having regard to the findings of the GLA-led further review of the alternative site assessment (refer to paragraphs 10 to 12) GLA officers are of the view that a significantly reduced impact on MOL openness could be achieved by delivering the sports building in a more compact form on the previously developed sports hall site (refer also to the alternative site selection section above).

Other harm (impact on the historic environment)

52 Founded in 1572, the Harrow School site is occupied by a significant number of Listed Buildings and overlapped by six Conservation Areas. The site is also a Borough Site of Nature Conservation Importance and subject to Historic Park and Garden, and Archaeological Priority Area designations.

53 London Plan Policy 7.8 and Policy HC1 of the draft London Plan require that development identifies, values and conserves heritage assets, and these policies seek to ensure that development affecting heritage assets, and their settings, would be sympathetic to the assets' significance and appreciation within their surroundings. In addition, the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties in respect of Listed Buildings and Conservation Areas. Where harm is identified, it should be given considerable weight and importance. As discussed in paragraph 70 below, it is noted that Historic England has identified that the proposal would cause some harm to heritage assets; principally due to the proposal to accommodate development within the historically open and green setting of a number of Listed Buildings and the Harrow School Conservation Area. When considered in conjunction with the proposed public benefits of the community use arrangements (discussed in paragraph 59 below), GLA officers are satisfied that this less than substantial harm to heritage assets does not warrant a reason for refusal. However, GLA officers are of the view that a significantly reduced impact on the historically open and green setting of proximate heritage assets could be achieved by delivering the sports building in a more compact form on the previously developed sports hall site (refer to the alternative site selection section above).

Other considerations relevant to a case for 'very special circumstances'

Educational need

54 Harrow School provides places for 820 pupils. Whilst the proposed development does not form part of a scheme to increase pupil places at the School, it is noted that the existing sports hall is operating in excess of its capacity. Information submitted by the applicant sets out that, following a 40% rise in the number of pupils opting to take GCSE Physical Education, the current sports hall no longer meets the curriculum requirements of the School. Furthermore, it is understood that the increased uptake of GCSE Physical Education is feeding through into a requirement for Sports Science A-level (a subject that the School is currently unable to offer due to constraints on practical and theory teaching space). Further, and recognising that Harrow School is a boarding school, it is acknowledged that there is also a more general requirement for sports facilities to support on-site informal recreation for pupils outside timetabled hours. Furthermore, it is noted that the existing sports hall building is suffering from subsidence, and is understood to require remedial structural works estimated at £10 million.

55 To meet the curriculum requirements (and in response to the fact that the existing sports hall is in need of significant repair) the proposed new sports building would allow for the replacement of all the existing facilities, as well as adding several new features (including field changing provision; classroom teaching space, a training pool, studio/judo dojo space, and an additional sports hall capable of accommodating basketball).

56 In the interests of completeness, officers have also had regard to the contribution that the proposed science building would make to educational need. In this regard it is noted that, in response to recent changes to the National Curriculum, pupils will need to choose at least two separate science GCSE subjects (whereas, it was previously possible to choose a single, combined, science GCSE). The applicant sets out that this will generate an increased requirement for science lab space, which cannot currently be met within the constraints of the existing (Listed) science building. More generally, the applicant sets out that facilities within the existing science building are out-dated and have inadequate teaching and laboratory space for the modern curriculum.

57 To meet the curriculum requirements of the school, the new science building has been designed to provide dedicated facilities for biology and chemistry subjects (physics would continue to be taught alongside maths in a modern block to the north). The proposed block would provide dedicated labs and prep rooms for both science subjects, as well as a shared lecture theatre.

58 Having regard to the above GLA officers have considered the proposed contribution of the scheme to educational need. Accordingly, noting that there is no proposed increase in School intake, it is concluded that the proposed development would not relieve pupil pressure on other schools, and therefore, would not directly address general educational need. Moreover, whilst the proposed facilities would respond to the curriculum requirements of the School, it has not been robustly demonstrated that it would not be possible to meet the same requirements through redevelopment of the existing sports hall site. As discussed in the alternative site selection section above, GLA officers are of the view that the requirements can be met at the site of the existing sports hall. Accordingly, it is concluded that the provision of educational facilities does not clearly outweigh the harm so as to constitute 'very special circumstances', and limited weight is attached to it.

Community use

59 Harrow School currently provides 410 hours of community use per year. As part of this application it is proposed to increase that to 1,300 hours per year. This increase in community use hours, in conjunction with the standard of sporting facilities proposed, would represent a significant benefit for up to 12 other schools in the area, as well as the wider local community more generally. Moreover, the terms of the proposed community use agreement ensure that local schools and community groups would benefit from significantly discounted rates compared to the industry standard (40% less than market; or, a cost price where the School will make no profit – whichever is lower). The agreement has also been drafted to ensure that existing community users of the current School facilities would not be disadvantaged as a result of the new agreement. Officers are of the view that the proposed community use arrangements do constitute a public benefit, and the community use agreement is strongly supported in line with London Plan Policy 3.18 and Policy S5 of the draft London Plan. However, when attributing weight to this benefit as a consideration in relation to the proposed inappropriate development on MOL, GLA officers have been mindful that the principle of securing community use of school sports facilities is generally required and delivered as a matter of course through the implementation of London Plan Policy 3.18 and Policy S5 of the draft London Plan. Moreover, it has not been robustly demonstrated that it would not be possible to deliver the same community use arrangements on the existing sports hall site. As discussed in the alternative site selection section above, GLA officers are of the view that equivalent benefits can be delivered through redevelopment of the existing sports hall site. Accordingly, it is concluded that the proposed community use does not clearly outweigh the harm so as to constitute ‘very special circumstances’, and limited weight is attached to it.

Metropolitan Open Land – conclusion

60 The proposed sports building is inappropriate development within MOL and is harmful by definition. Moreover, the proposed sports building (as a consequence of its excessive footprint and location) would result in harm to the openness of the MOL, which is not off-set by the proposed land swap arrangement. Substantial weight is attached to this harm. Whilst the application responds to the curriculum requirements of the school and would deliver public benefits as a result of the proposed community use agreement, GLA officers do not consider that the harm through inappropriateness and the harm to openness is clearly outweighed by these or any other considerations, and that individually and cumulatively these would not amount to very special circumstances. Accordingly, very special circumstances do not exist. Therefore, the application does not comply with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF.

Update on other strategic issues

61 Notwithstanding the above recommendation and reason for refusal, an update on the other strategic issues raised at consultation stage is set out below.

Community use

62 At consultation stage the Mayor sought to ensure that proposals for enhanced community use of the sports facilities were enhanced through engagement with the local community, nearby schools and sport clubs. The terms of the community use agreement have now been finalised; incorporating various provisions as a direct response to local needs (including affordability and protection of existing user groups). As discussed in paragraph 59 above, the community use agreement is supported in line with London Plan Policy 3.19 and Policy S5 of the

draft London Plan. This community use agreement should be carried forward as part of any revised scheme, and secured by way of planning obligation as part of any subsequent approval.

Sustainable development

63 The proposed energy strategy and 38% carbon dioxide saving was broadly supported at consultation stage. Further to this, technical clarifications have been provided on energy efficiency; district heating; combined heat and power; and renewable energy technologies, and further work on an over-heating analysis for the scheme would be secured by way of planning condition. The application therefore complies with London Plan Policy 5.2 and Policy SI2 of the draft London Plan.

Planning conditions

64 As discussed in paragraph 9 above, the Mayor also sought various planning conditions to secure: biodiversity measures; LPA approval of architectural materials and detailing; inclusive access measures; sustainable drainage measures; and, submission of a delivery and servicing plan and construction logistics plan.

65 It is noted that Harrow Council's draft decision notice incorporates appropriate conditions accordingly. Such conditions should be similarly imposed if a revised scheme is submitted and subsequently approved.

Response to consultation

66 Harrow Council publicised the application by sending letters to 489 local addresses, and issuing site and press notices. The relevant statutory bodies were also consulted. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the Mayor as part of Harrow Council's 'stage 2' referral.

Responses to neighbourhood consultation

67 Following the conclusion of the neighbourhood consultation process Harrow Council received a total of 46 objections, including a petition of objection containing 1,425 signatures. The petition of objection was set up online by The Harrow Hill Trust, and has continued to gain signatures since it was formally submitted to Harrow Council. At the time of writing this report the petition has reached 1,770 signatures. The reasons cited for objection are summarised below.

Neighbourhood objections

68 The reasons for objection comprised: impact on MOL; failure to address educational need; failure to fully explore brownfield sites; impact on the historic environment; impact on local views; poor design quality; loss of trees; ecological impacts; air quality impacts; impacts on public footpaths; community use agreement is insufficient; traffic impacts; lack of public consultation; and, failure to take account of a pre-consultation stage Neighbourhood Plan.

Gareth Thomas MP, Member of Parliament for Harrow West

69 Noting the petition of objection, and concerns raised by The Harrow Hill Trust, Gareth Thomas MP expressed the view that Harrow Council should seek revised proposals to address concerns regarding the impact of the proposal on the local environment.

Responses from statutory bodies and other organisations

Historic England (Historic Buildings and Conservation)

70 Having considered submitted amendments, Historic England noted that the revised design would achieve a degree of reduction in harm caused to the historic environment (compared to the proposal as originally submitted). Historic England nevertheless emphasised that it remains the case that the proposals, through inserting a structure of the broad massing and height proposed in this location, would cause some harm. This harm is due to development in the currently and historically green open setting of a highly visible group of important historic buildings which form the primary core of a conservation area. This harm should be weighed against the public benefits of the proposal, as required by the NPPF.

Historic England (Archaeology Advisory Service)

71 Historic England raised no objection, noting that the proposals are unlikely to affect the nearby Archaeological Priority Area.

Environment Agency

72 Environment Agency raised no objection, but provided general guidance on the risk of pollution to controlled waters.

Sport England

73 Sport England raised no objection.

Representations to the Mayor of London

74 The Mayor received representations of objection from local residents and The Harrow Hill Trust and representations of support from Harrow Council planning officers. The key themes of objection reiterated issues summarised in paragraph 68 above. Notwithstanding this, a summary of the comments from The Harrow Hill Trust and Harrow Council Planning officers is provided below.

The Harrow Hill Trust

75 The Harrow Hill Trust asked the Mayor to refuse the planning application, emphasising the Trust's key concerns with respect to: environmental harm; loss of MOL; availability of an alternative site; failure to address educational need; and, lack of certainty that other local schools would benefit from the community use agreement.

Harrow Council (planning officers)

76 Harrow Council planning officers reiterated that the Council considers the need for the development to have been clearly demonstrated, and the very special circumstances justification for inappropriate development on MOL to have been demonstrated. The Council stated that, in its view, very special circumstances comprise: the site circumstances and constraints, and lack of alternative suitable land; pressing academic curriculum needs for sports; sporting benefits (including provision of high quality sports facilities in an area of the borough where no comparable facilities exist currently); provision of shared access to high quality sports facilities by the local community and local schools (via community use agreement); contribution of the

proposed MOL 'land swap'; and, provision of high quality landscaping, that would enhance the setting of neighbouring heritage assets.

Response to consultation – conclusion

77 Having considered the responses to public consultation, and all representations submitted to the Mayor of London, 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 D&P/3820/01.

Section 106 agreement

78 As part of Harrow Council's draft decision to approve the application, the following draft Section 106 heads of terms are included:

- Demolition of all existing buildings on MOL and within MOL 'land swap' area;
- MOL equivalent protection for 'land swap' area;
- Community use agreement (headline terms as discussed in paragraph 59 above); and,
- Local employment and training (£15,000 financial contribution and employment and training plan to deliver employment/training opportunities during construction).

Legal considerations

79 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. The Mayor may also leave the decision to the local authority. In directing 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.

Financial considerations

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

81 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. An important factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

Conclusion

82 The proposed sports building is inappropriate development within MOL and is harmful by definition. Moreover, the proposed sports building (as a consequence of its excessive footprint and location) would result in harm to the openness of the MOL, which is not off-set by the proposed land swap arrangement. Substantial weight is attached to this harm. Whilst the application

responds to the curriculum requirements of the school and would deliver public benefits as a result of the proposed community use agreement, GLA officers do not consider that the harm through inappropriateness and the harm to openness is clearly outweighed by these or any other considerations, and that individually and cumulatively these would not amount to very special circumstances. Accordingly, very special circumstances do not exist. Therefore, the application does not comply with London Plan Policy 7.17, Policy G3 of the draft London Plan, Core Policy 1 of the Harrow Core Strategy, Policy DM16 of the Harrow Development Management Policies DPD and the NPPF. On balance, GLA officers recommend that the Mayor directs refusal for the following reason:

i. Inappropriate development on Metropolitan Open Land

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

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27 June 2016

Harrow School, Harrow-on-the-Hill

in the London Borough of Harrow

planning application no. P/1940/16

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of existing buildings and construction of new sports and science buildings.

The applicant

The applicant is **Harrow School**, the agent is **Paterson Planning & Partners Ltd** and the architect is **Rivington Street Studio**.

Strategic issues summary

- **Land use principle:** Whilst the school redevelopment on **Metropolitan Open Land** is 'inappropriate' development, the proposed MOL swap, resulting in a net gain of MOL combined with the pressing academic needs and enhanced community use, are accepted as **very special circumstances** justifying the proposal, in this instance. (Para 36 – 43).

Recommendation

That Harrow Council be advised that while the application is generally acceptable in strategic planning terms the application does not fully comply with the London Plan, for the reasons set out in paragraph 86 of this report. However, the remedies set out in that paragraph could possibly lead to the application becoming fully compliant with the London Plan. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

Context

1 On 16 May 2016 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. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 24 June 2016 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 3D of the Schedule to the Order 2008: *"Development – (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floor space of more than 1,000 square metres or a material change in the use of such building."*

3 Once Harrow Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Council to determine it itself, unless otherwise advised. In this instance if the Council resolves to refuse permission it need not refer the application back to the Mayor.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 Harrow School is located in a prominent position on Harrow-on-the-Hill near the southern edge of the London Borough of Harrow. The School Estate covers approximately 122 hectares and approximately 84% of the Estate is located within Metropolitan Open Land. Whilst the proposed site for the new sports building is in the MOL, the proposed site for the new science building is outside the MOL, but within a conservation area.

6 The School Estate is bisected by the High Street along which the main school buildings are located. The High Street is a public highway and a bus corridor with the School built on both sides of the road. The existing Science block (Biology and Chemistry Schools) is located on Football Lane adjacent to its junction with Peterborough Road. The Sports building is accessed for vehicles via Garlands Lane located to the north of Football Lane from Peterborough Road. Pedestrian access is however also provided via Football Lane.

7 The site is remote from the nearest point of the Transport for London Road Network (TLRN); Western Avenue/A40 being 5.2km to the south. The nearest section of the Strategic Road Network (SRN) is Bessborough Road/A312, located approximately 550m to the west. There are two bus routes (258, H17) that serve the site from stops on High Street, located approximately 345m away from the site. These buses run at an average frequency of 4 buses per hour. The nearest London Underground station is Sudbury Hill, located approximately 2km to the south of the site. The station is served by the Piccadilly Line, providing a fast and frequent service into central London. As a result, the public transport accessibility level (PTAL) of the site is 1b; based on a scale of 1a to 6b, where 1a is lowest and 6b is highest.



Aerial view of Harrow School in context: Source – applicant’s design and access statement, April 2016.

Details of the proposal

8 The application seeks full planning permission for:-

- Demolition of existing buildings including the existing sports centre building, the old Headmaster house, a gardeners compound, and ancillary pavilions;
- The development of a new Sports Hall;
- The development of a new Science Building;
- A new Core Landscape incorporating safe, off-street pedestrian route for pupils, staff and visitors in and through the heart of the school and from the Chapel Terrace to the Athletics Track;
- Re-location of Multi Use Games Area;
- Improvements to the Dining Hall Service Area including screening, rationalisation of parking and re-routing of pedestrian routes away from the service yard area; and
- The creation of new disabled and visitor car parking on Football Lane.

9 The applicant has also proposed a land swap in regard to the MOL, in line with the Harrow School SPD (2015).

Case history

10 On 8 December 2015, a pre-planning application meeting was held at City Hall, comprising the applicant and its consultants and GLA officers and subsequently an advice report was issued. From the pre-app meeting it was concluded that the proposed school redevelopment would be supported provided the strategic matters raised in regard to land use principles- provision of education facilities on Metropolitan Open Land, playing fields & community use, biodiversity, urban design, inclusive design, sustainable development-energy, flooding management and transport, are taken into consideration and fully addressed before the application is submitted to the local planning authority.

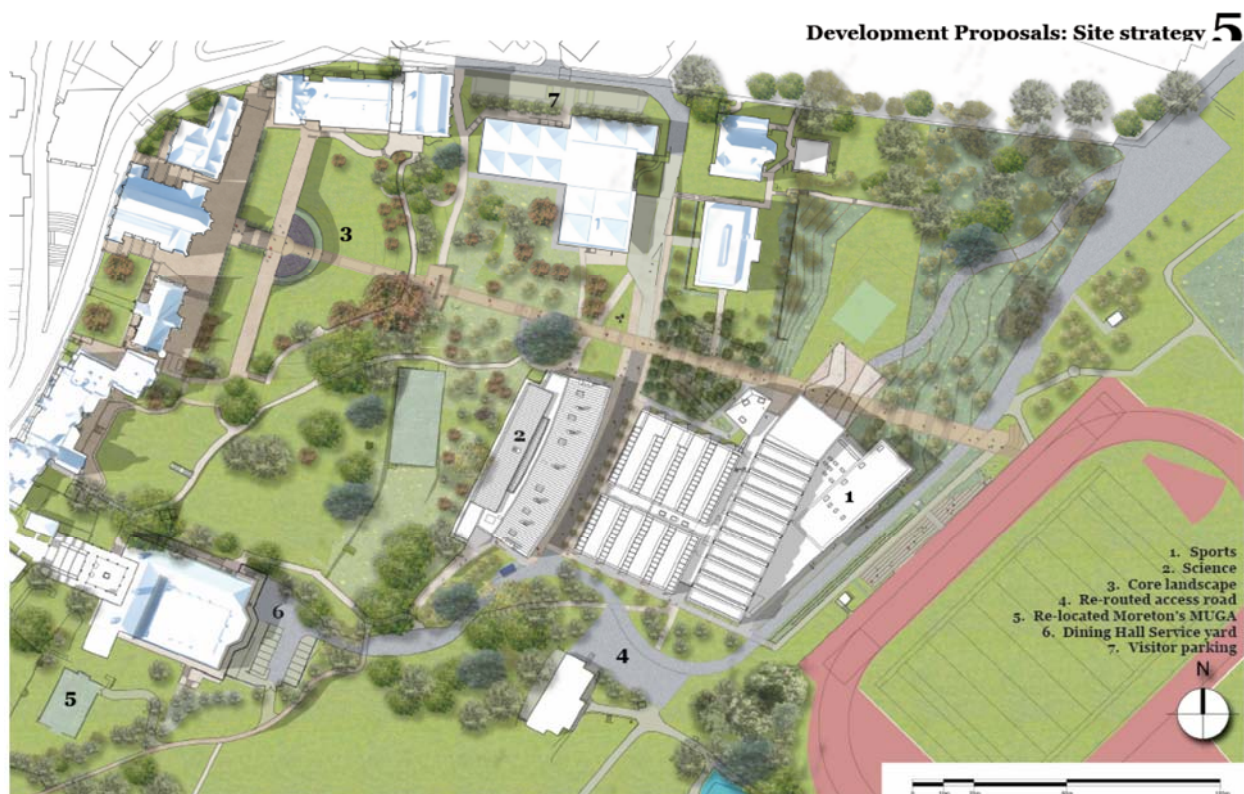
Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- Education *London Plan; Social Infrastructure SPG;*
- MOL *London Plan;*
- Playing fields *London Plan;*
- Biodiversity *London Plan;*
- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG replacement;*
- Community use *London Plan;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy;*
- Flooding *London Plan;*
- Transport *London Plan; the Mayor’s Transport Strategy;*

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plans in force are the 2012 Harrow Core Strategy, the 2013 Development Management Policies Local Plan and Site Allocations Local Plan, and the 2016 London Plan (Consolidated with Alterations since 2011).

13 The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, the Mayor’s Social Infrastructure SPG (2015), and the Council’s Harrow School Supplementary Planning Document (Adopted, July 2015) are also relevant material considerations.



Development proposals site strategy: Source- applicant’s design and access statement, April 2016

Land use principles: provision of education facilities on MOL

14 Since its formation in 1572, Harrow School has expanded, developed and adapted to meet the demands of its changing academic and accommodation requirements. The School is an independent full boarding school for boys aged 13 to 18 in which 828 pupils are currently registered (circa 20% from outside the UK). The boys all live on site as full boarders in 13 boarding houses. The School is one of the larger employers in the borough with a current staff of circa 600. All of the 104 core teaching staff members live on site.

15 In relation to the provision of educational facilities, policy 3.18 'Education facilities' of the London Plan states that *"Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes"*.

16 The above policy states *'The Mayor will support provision of early years, primary and secondary school and further education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, particularly in parts of London with poor educational performance. ...Development proposals which enhance education provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes.'*

17 The Mayor's Social Infrastructure SPG (2015) provides guidance on planning for social infrastructure provision at strategic level starting with the GLA's own demographic projections and the ways in which these can be used to understand need for health, education and sports facilities.

18 Para 72 of the NPPF states *'The Government attaches great importance to ensuring 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 the choice of education. They should give great weight to the need to create, expand or alter schools.'*

19 The London Plan (policy 7.17) gives the MOL the same level of protection as in the Green Belt, and the National Planning Policy Framework (paragraph 89) sets out that only development associated with agriculture, forestry, outdoor sport and recreation, limited infilling and redevelopment of existing sites is appropriate in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for 'inappropriate' development to be acceptable in the MOL, very special circumstances must apply.

20 Furthermore, bullet point 6 of the above paragraph in relation to previously developed land states that *'complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt'* may be an acceptable development on the Green Belt. Alternatively if it does not meet these criteria it is assessed as 'inappropriate' development, which needs to be justified by very special circumstances.

21 Harrow School is located within a Metropolitan Open Land, Conservation Areas, a Site of Importance for Nature Conservation (SINC), an Archaeological Priority Area. The School site has listed buildings and is within locally protected view as set out in Harrow Council's 'Historic Views Assessment'.

22 Whilst the site of the proposed Science building is not in MOL, the sites of the existing Sports building, and the site of its proposed replacement, lie within MOL. The replacement Sports facility is proposed to be enlarged. As stated in the planning statement, the applicant has acknowledged that the increase in both floor space and footprint means the new sports building does not meet the

criteria of bullet point 6 of paragraph 89 of the NPPF and must be considered, as 'inappropriate' development within MOL.

23 At the pre-application meeting, GLA officers advised that the proposed new Sports Centre triggers very special circumstances policy tests by virtue of its nature and scale, and could not be considered to be 'appropriate' development within MOL. Officers have also advised that despite the increased academic curriculum need and the potential for increased community use, *these alone* are unlikely to amount to 'very special circumstances' (Vis a Vis Para 89 of the NPPF). The applicant has noted that this was also the view taken by the School and Harrow Council in their drafting of the Harrow School Masterplan SPD. However, the applicant stated that "in recognition of the fact that there are no suitable sites for provision of a new Sports Building outside of MOL, and the pressing academic need for the expanded provision, the SPD therefore agrees 'in principle' to a MOL swap."

24 MOL swap: The planning statement states that the swap involves the site area of the proposed new Sports Building, which is currently in MOL, for the area created by the new landscaped core, which is currently not in MOL but is within the Harrow School Conservation Area. This has been agreed at least in principle between the applicant, Harrow Council and the GLA during the preparation of Harrow School SPD development, (and referenced in pages 26 & 27 of the SPD, and see also the MOL swap diagram in appendix 1.)

25 The applicant has quoted from the SPD that the acceptability of the MOL swap is subject to the following criteria being met; and has argued that the current application successfully meets all these criteria:

- There will be no net loss in the amount of MOL;
- The reconfiguration will deliver a coherent and contiguous expanse of MOL;
- The new MOL would be equivalent or greater quality; and
- Openness will be maintained.

26 No net loss in the amount of MOL: The applicant demonstrates that the existing Sports Centre and ancillary buildings have a footprint of 1,750 sq.m., which are all proposed to be demolished, and the land returned to MOL. The area of the proposed new landscape core, which will be swapped into MOL, amounts to a total area of 8,695 sq.m. So these two elements together total an area of 10,445 sq.m. The proposed new Sports Building will require an area of 5,480 sq.m. on MOL. Therefore the swapping process will result in a *net gain* of 4,965 sq.m. of MOL.

27 A coherent and contiguous expanse of MOL: The applicant states that the areas to be swapped are next to each other on the hill. The creation of the new landscaped axial core will create a new coherent expanse of MOL running from the back of the Chapel right down the hill, linking in with the existing expanse of MOL at the bottom and beyond, facilitated by the removal of a number of buildings, including Peel House and a gardener's compound. The swapped-in land will therefore continue to form a contiguous and coherent expanse of MOL.

28 Quality of the New MOL: The applicant points out that the proposed MOL swap will have a positive impact on MOL openness. The removal of existing buildings from within the existing MOL (i.e. the existing Sports Centre and a number of ancillary buildings on the playing fields), and returning these areas to open MOL, will improve the openness of the existing MOL. Further, the opening up of the hill through the creation of a new landscaped axial core, and the removal of buildings to enable this, will open up the top of the hill to the wider MOL at the bottom of the hill improving the openness of MOL in this area visually, physically, and functionally. This is illustrated in the Visual Impact Assessment that accompanies this application. (See below appendix 2).

29 The applicant reiterates that the design of the new Sports Building has been carefully considered to work with the topography of the hill, allowing for much of the massing to be buried into the hillside, resulting in modest building heights staggered along the hill's natural gradient. The pre-application advice from the GLA confirmed that, in terms of scale, height and massing, the proposals do not give rise to concerns about the impact on the openness of MOL. The MOL swap, and the impact on openness, should also be considered in the context of the whole expanse of MOL on the eastern side of the hill, which amounts to 793,343 sq.m. In this context, the reconfiguration of the MOL boundary represents a very minor amendment, and is on the edge of the MOL boundary. Therefore, the applicant considers that a swap of the quantum proposed in this location could not be said to adversely impact on the openness of MOL on the eastern side of the hill.

30 Impact on Openness: The applicant points out that the area of MOL to be swapped out is not functionally useful and is of average quality in terms of landscaping. The area to be swapped-in is within an area of significance within the School, forming the setting to a number of historic and important school buildings within the heart of the academic core. The proposal for the new axial landscape core will see this area significantly enhanced in terms of landscape quality. The new MOL will therefore be of a greater landscape and functional quality than the area it replaced. Further, the applicant asserts that quality of the existing MOL will also be improved through the removal of existing buildings and reinstatement of landscaped areas consistent with the surrounding MOL. (See appendix 3).

31 In light of the above, the applicant concludes that the swapping arrangement achieves all of the policy tests agreed in the Harrow School Masterplan SPD, and that the acceptability of the MOL swap, alongside the significant planning constraints experienced across the estate, the pressing academic needs, and the proposed enhanced community use, all combine to constitute very special circumstances justifying the 'inappropriate' element of the proposed Sports Building redevelopment.

32 The applicant further suggests the following conditions reiterating as set out in the Harrow School SPD, the MOL swapping and designation will, initially, need to be secured through a condition or s106 agreement, until such time as the Council undertakes to update its Proposals Map. A draft clause to this effect is therefore provided for the Council's consideration and is stated as follows:

- Immediately following occupation of the new Sports Building, the Governors of Harrow School will formally apply to the London Borough of Harrow to have the Land Registry Title Deed for the School amended to show that the land identified as Parcel A is to be designated Metropolitan Open Land, and that the Metropolitan Open Land designation, applying to the land identified as Parcel B, is extinguished.
- Such arrangements on the Title Deed will remain in place until such time as the London Borough of Harrow undertakes to update its Proposals Map to formally reflect the above change.

33 Increased Academic Curriculum needs: The planning statement states that, to continue its legacy, Harrow School must continue to evolve and grow as it has always done, to meet the educational needs of its pupils and to maintain its status as an educational institution.

34 The New Science Building: The statement reiterates pointing out that the new Science Building is required to meet the increasing demand for science subjects. The existing facilities are out-dated and lack sufficient teaching space and modern laboratories required of the new curriculum. Their current location, in Grade II listed building, means that further adaptation and expansion of the existing facilities is not feasible. Additional and more appropriate teaching space is therefore required for these science subjects in light of the current shortfall of adequate provision.

35 The New Sports Building: The statement sets out that the new Sports Building facilities will replace all the existing ones, adding several new features, including field changing provision, classroom teaching space, a training pool, studio/judo dojo space, and an additional; sports hall accommodating basketball. The new facilities, and enlargement to existing facilities, such as the fitness and performance suites and wet and dry changing provisions, are required to meet the current curriculum needs of the School, in all its modernization program, which are not being met by existing facilities, and to continue to support the role of the School as a provider of enhanced community facilities.

GLA officers position on land use principle and the proposed MOL swap:

36 As discussed above, the Sports Hall redevelopment on MOL is ‘inappropriate’ and the applicant is required to demonstrate very special circumstances that justify the proposal.

37 As part of general engagement on the Harrow Local Plan, GLA officers have discussed the principle of a reconfiguration of MOL at the Harrow School site in order to enable Harrow School to sensitively redevelop in response to its future needs. To this end the Harrow School Supplementary Planning Document (SPD) seeks to provide a practical framework for the School to modernise and enhance its educational facilities in a way which maintains and enhances the reputation of the school, and conserves the significance of the institution’s unique historic and landscaped setting.

38 An exchange of land within the Metropolitan Open Land (MOL) designation is proposed within the SPD in order to facilitate the delivery of improved facilities for the school, along with the removal of various existing (non-Listed) buildings. This is set out in pages 27 & 29 of the adopted SPD.

39 The SPD nevertheless emphasises that such a “land swap” would be subject to a set of criteria as discussed above including a detailed demonstration of the openness of the proposed core landscape area, having regard to the cumulative impact of existing buildings and those proposed to be removed or constructed within or in the vicinity of the proposed MOL. Moreover, the SPD makes clear that there must be ‘no net loss in MOL or in the quality of openness’.

40 As discussed above the applicant has demonstrated a detailed assessment of the cumulative effect of the existing, removed and proposed buildings within and adjoining the new landscape core on its openness, it is proposed that the landscape core will be designated as Metropolitan Open Land (MOL), preserving its openness. The new MOL will provide for an extension to the existing MOL on the Hill, and will provide an off-set to the swapping out of MOL to enable the development of the new sports building.

41 The detailed assessment has ensured that there is no loss in the amount or quality of MOL. Indeed, based on the indicative site boundaries, taking into account the fact the existing sports hall (which is currently in MOL) would be demolished and returned to MOL, plus the new landscape core, which will be swapped into MOL would result a net gain of 4,965 sq.m. of MOL. To this effect, the applicant has drafted a clause and provided for the Council’s consideration that the MOL swap would be secured through a section 106 agreement until such time as the Council undertakes to update its Proposals Map.

Conclusion

42 In light of the above assessment and on the site visit appraisal, GLA officers consider the MOL swapping arrangement to be well considered and with a net gain in footprint, with equivalent or greater MOL quality, and a more functional and open landscaped area. Therefore, GLA officers consider that the MOL swap is acceptable. The proposals are in line with Harrow Council’s SPD; subject to community uses of these new facilities being secured through S106 agreement and to

these facilities being the subject of regular review by Harrow Council, in order to ensure the facilities are available at an affordable rate.

43 The MOL land swap arrangement, alongside the significant planning constraints experienced across the estate (steep topography, conservation area, listed buildings and protected historic views, the lack of alternative suitable land), the pressing academic curriculum needs, and the enhanced community use (discussed below), *all combine* to constitute very special circumstances justifying the 'inappropriate' element of the proposed Sports Building redevelopment on MOL. The proposal is supported.

Playing fields & community use

44 The London Plan (3.18E) expects community use to be maximised. As noted above, this is also being used as a case for justifying the redevelopment on MOL.

45 The planning statement states that the existing Sports Centre and other sports facilities in the school are accessible to community groups, local schools, sports clubs and the public at specific periods throughout the day. Currently, 12 local schools, 3 external clubs, and 13 organisations use the Sports Centre. Other schools also use the sports facilities for competitions, galas and sporting events. In addition, Harrow School Sports Club (HSSC) is the membership body that provides access for the public to the School's Sports Centre. The current number of HSSC members is over 1,060, including 280 school staff members. Membership includes use of the fitness suite and the swimming pool alongside other benefits such as group exercise classes, badminton and a discounted facility hiring. Therefore, Harrow School already enjoys excellent partnerships with a number of local schools and organisations and it is also noted that many elite national and international teams are attracted to train at Harrow School because of the quality of its 1st XV pitch and wicket, as well as its close proximity to Wembley Stadium.

46 Enhanced community use: The planning statement reiterates that the new Sports Centre with its enhanced capacity, greater and more appropriate changing provision, vastly improved circulation, and larger foyer will be much more suitable for external use. The School has already drafted a Community Use Offer (CUO) and envisages the new Sports Building providing an additional 450 hours per year of community use bringing the total hours of community use to over 860 hours per year. In addition, the CUO includes the potential for the new facilities to host larger one-off community events such as the qualifiers for the London Youth Games, as well as facilitating the training of local sports coaches, including teaching certain qualifications.

47 Community use agreement: The planning statement states that the intention is that this Community Use Offer will, in due course, be converted into a community use agreement and thereafter be subject to an annual review by representatives of Harrow School, Harrow Council, and Harrow School Enterprises Limited and may be altered by mutual agreement as required. The review is to take place at least 3 months prior to the beginning of the following academic year.

48 Charges: The statement states that financially the School will need to charge external users to cover the cost of running and maintaining the facilities. The School recognises that well programmed usage of the new sports facility has the added bonus of offering a sustainable business plan that may enable the School to subsidise the activity offered to some local schools and local organisations. The level of charge will depend on the facilities needed and whether provision is for multiple, dual, or exclusive use. In line with some similar private schools with substantial sports centres offering significant community access, the proposed 'At Cost' rate inclusive of labour is 40% of the commercial rate.

49 Summary: Whilst the School's commitment for community use agreement is welcomed, the applicant should continue its engagement with the local community, nearby schools and sport clubs

in the production of the community use plan, which demonstrates the extent of proposed community use of the facilities, in a form that can be secured by the Council to ensure delivery. The design of the school should also assist in this, for example by creating zones where community use can be easily be provided (for instance the School Hall, the football and golf pitches), while ensuring that access to other parts of the school can be easily prevented or segregated.

Biodiversity

50 As part of the application site is designated as a Site of Importance for Nature Conservation (SINC), the majority of the application site itself is a high value for biodiversity, consisting largely of short mown grass. The applicant has submitted an updated Phase 1 Ecological Survey which states that the only protected species potential present in the proposed Sports and Science development footprint are bats and nesting birds. It is thought unlikely that great crested newts will be present due to the unsuitable habitats in this specific area.

51 The Ecological Survey demonstrates that the vast majority of the great crested newt population at the Harrow School Estate will be present without a doubt within Newlands Wood, the connecting woodland pockets and fringes, especially if near to the newt breeding pond e.g. Deyne Court which is adjacent to the wood. With reptiles such as grass snake and slow-worm, it is very unlikely these species will be present in the development footprint, due to a lack of suitable habitat. But a cautious approach is still required e.g. awareness by contractors at all times, as it is now understood, since the November 2014 survey, that these reptile species are present at a very low density on the wider Harrow School Estate. Bats will no doubt be foraging in the survey area and will be aware of the buildings with external bat roost potential at the very least as well as the high quality trees with woodpecker holes. So the possibility of the occasional bat roost being present or not within the development footprint will be clearer after further investigation. Currently, the potential impact level: Low/Moderate – but will be revised after the specific follow-up bat emergence survey has been completed.

52 The Ecological Survey recommends the following mitigation measures:

- Requirement for a bat emergence survey of selected buildings and trees, a follow-up bat emergence survey is needed of the buildings identified with genuine bat roost potential.
- Continuation of short grass mowing regime within the development footprint,
- Great crested newt impact avoidance strategy for the development footprint,
- Implement best practice guidelines in regards to nesting birds within all work areas,
- Implement best practice guidelines in regards to tree felling and bats,
- Implement best practice guidelines in regards to bats and demolition works, and
- Installation of suitable bird boxes and bat boxes as a compensation measure.

53 Tree loss mitigation: The Survey states that the proposed redevelopment results in the loss of 92 trees. 188 existing trees are being retained (with adequate protection to BS 5837:2012 'Trees in Relation to Construction' guidelines). No Category A - trees are to be affected; 29 Category B trees are removed; and 63 Category C trees are removed. 4 trees (3 Category B, and 1 Category C) have been identified by the arboriculturalist as being suitable for transplanting, and suitable locations will be found for these within the Core Landscape. Overall, 266 trees are proposed to be planted as part of the Core landscape project, which is more than a ratio of 3 new trees for every 1 tree removed. This is welcomed and needs to be conditioned.

54 In line with policy 7.19 of the London Plan the proposed redevelopment wherever possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. The proposed implementation of best practice guidelines including the mitigation measures as outlined above will minimise the adverse impact of the proposed redevelopment on biodiversity. This is supported and welcomed and need to be conditioned.

Urban design

55 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London.

56 The applicant has undertaken a site location options analysis which indicates how the preferred location presents the most appropriate siting of proposed blocks in terms of utilising the topography, relative ease of public access and also being within the existing Harrow School campus. This location is recognised by GLA officers as being the most appropriate, given the site constraints described as part of the submitted options analysis. It is noted that the proposed science block is located within the conservation area and the sports hall within the MOL. The applicant has however worked to achieve an appropriate balance between meeting the sizing requirements of proposed facilities while pursuing a sensitive design approach that seeks to enhance the setting of nearby listed buildings as well as the formal landscape of the School campus. A key benefit is that the alignment of the two blocks front directly onto and defines an east/west axial route which provides a formal framework for the wider campus, including axial views to the east from Chapel Terrace garden.

57 The applicant has provided a clear indication of a hierarchy of pedestrian, shared and vehicular routes through the campus which is welcomed and this demonstrates that the proposals will enhance and improve on the current access arrangements by providing inclusive and legible pedestrian routes between the key buildings of the campus. This is welcomed and supported.

58 In terms of the proposed extent of development in this heritage sensitive location within MOL, GLA officers note that the footprints of each block are a departure from the existing pattern and grain of other campus buildings. However, the gradient of the slope means that views of the proposals will be limited in general with the southeast elevations being the most prominent in views from the opposite side of the sports track. While officers acknowledge that from this vantage point in particular, the setting of the conservation area will be altered, the simple, appropriate scaling of blocks and use of high quality and muted facing materials means that no harm will occur to its setting or that of neighbouring listed buildings. In regards to any impact on the character of MOL, officers are content that the proposals will appear as an integral feature of the wider school campus and would have limited impact on its open character as a result. Furthermore, and as discussed above in detail, there will be a net gain of footprint from the MOL Swapping, which is supported.

Visual impact assessment

59 As shown in Appendix 1 and the diagram below, the proposals for both buildings will not have a cumulative visual impact of more than a 2-storey building in the context of utilising the site's 36m natural slope and they are to be built deep into the hill and staggered down the hill. Therefore, the impact on the openness of the MOL is very limited. However, the treatment of the roofs of the buildings needs to be considered as their impact from the top of the hill down to the south should be minimised.

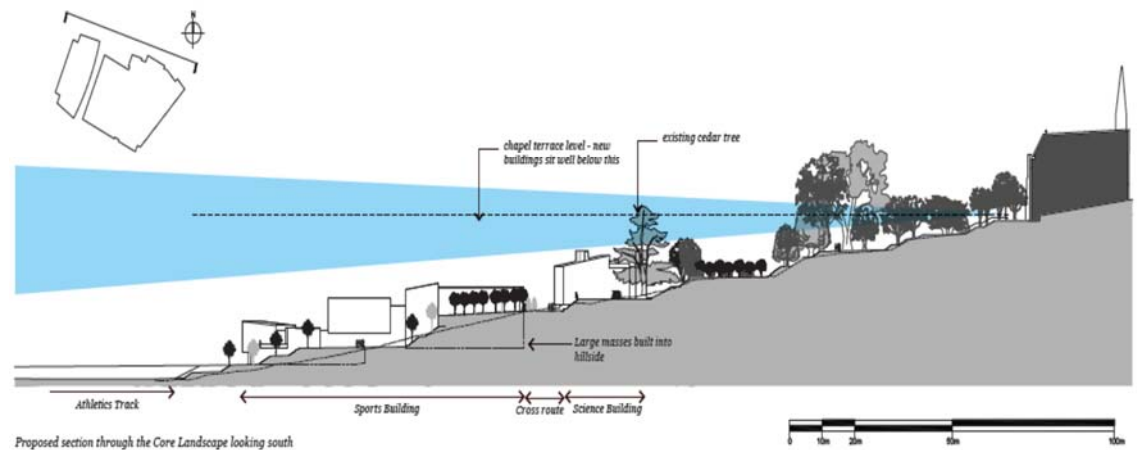
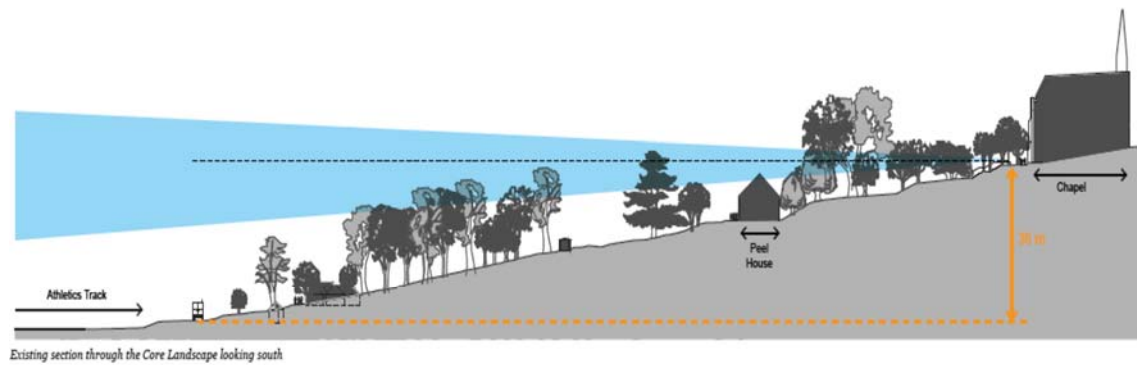


Illustration of the steepness of the natural slope of the site: source – applicant’s planning application documentation, April 2016.

60 Conclusion: GLA officers are supportive of the proposals and welcome the sensitive design approach undertaken which successfully balances site constraints with the need to address relevant national and international independent schools standards including minimum teaching/circulation space standards, passive ventilation, daylighting and acoustics, as well as a high quality architectural response to the site's immediate and wider context. The Council is nonetheless encouraged to secure key details such as window reveals and samples of all facing materials and the treatment of roofs through appropriate conditions.

Inclusive access

61 The applicant has submitted a design and access statement and points out that the proposals set out below have been discussed and agreed in principle with Harrow Council Building Control. They aim where ever possible to meet the minimum requirements of the Building Regulations Part M, Equality Act 2010 and the Code of Practice BS 8300: Design of Buildings and their Approaches to Meet the Needs of Disabled People. In addition, where possible, the Sports Building refers to the requirements of Sports England Accessible Sports Facilities 2010.

62 Pedestrian access and circulation: The statement sets out that the design avoids the use of ramps on the hillside as the levels do not offer themselves to this solution and a gentler slope is more inviting for all users. The new buildings offer a unique opportunity to travel around the lower part of the hillside unaided, by linking key levels and providing lifts within the buildings themselves. Wheelchair users will not be able to travel from the bottom of the hill to the Chapel located at the top of the hill through the proposed core landscape - this is no worse than currently. They will, however, be able to travel unassisted from Level 0 of the sport building to the upper level of Science, Level 5, therefore halfway up the hill. Once inside the main doors of the new building a spacious reception area will

contain a desk which has a DDA height counter. The circulation strategy within the building has been developed so that all parts will be wheelchair accessible. 2 no. passenger lifts offer access between Level 0 and 1, and then between Level 1, 2 and the western entrance linking towards the cross route. Circulation within the building is logical and the layout of the building easy to orientate. All corridors are a minimum of 1.8m wide in order to ensure adequate passing width.

63 Teaching spaces and lecture theatre: The statement points out that each teaching space is flat floored with an area of loose desks which allow for potential use by a wheelchair user. In the event of a disabled pupil at the School, the lab benching could be amended to suit a wheelchair user. The level 3 lecture theatre offers level access to and from the foyer and from the WC lobby at the front of the room. Locations for wheelchair users are available at the front of the room, which has direct access to the disabled toilets.

64 Toilets, changing rooms and swimming pools: The statement demonstrates that in total there are 6 disabled toilets within the Sports Building and 3 within the Science building. In the Sports Building, 1 no. disabled toilet is provided on each level so that no toilets are located further than 40 metres away from a fixed station such as a desk, seated viewing area or classroom. The main swimming pool is provided with easy access steps and a pool hoist. The training pool will be accessible either by the use of a pool hoist or the movable floor providing level access into the pool tank.

65 Parking: The statement points out that the existing site currently offers only 3 accessible parking spaces outside the Sports Building which are too narrow to meet current standards. There are no spaces within the main visitor car park at the bottom of Garlands Lane. As part of the creation of new disabled and visitor car parking on Football Lane, the proposals provide 6 new accessible parking bays. A number of parking bays are still available along the High Street and the redevelopment proposals have no impact on these. Drop off-points are also provided at Level 0 and from the Level 1 piazza into Sports, offering wheelchair access points to all levels of the Sports Building.

66 Conclusion: Given the topography of the site (36m natural slope), it is acknowledged that incorporating inclusive access is extremely challenging. However, as discussed above, the applicant has committed to provide wherever possible to meet the minimum requirements of inclusive design, which is supported and welcomed. The proposed measures need to be conditioned.

Sustainable development - energy

Energy efficiency standards

67 A range of passive design measures are proposed to reduce the carbon emissions of the proposed development including efficient Specific Fan Power (SFP), LED lighting and PIR controls. The demand for cooling will be minimised through enhanced insulation to the DHW pipework, fins along the science building's facade, a thermally massive structure assisted by the building being built into the hillside, high ceilings and openable windows, roof lights and ventilation chimneys for enhanced natural ventilation. The applicant is additionally proposing, where cooling is required, that it is provided using water abstracted from an onsite borehole, allowing for 'free'-cooling, and no chiller systems. This is welcomed and supported.

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

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

District heating

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

71 The applicant is proposing to install a site heat network. A drawing showing the route of the heat network linking all uses on the site has been provided. The site heat network will be supplied from a single energy centre. An energy centre location and layout drawings have been provided. This is welcomed.

Combined Heat and Power (CHP)

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

Renewable energy technologies

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

Overall carbon savings

74 A reduction of 131 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 38%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan, which is welcomed. However, the comments above should be addressed before compliance with London Plan energy policy can be verified.

Flood management

75 Flood risk: The flood risk assessment confirms that the site is within Flood Zone 1 and is not at significant risk of any other form of flood risk. Therefore, the proposals are acceptable in terms of London Plan Policy 5:12 'Flood Risk'.

76 Sustainable drainage: Whilst the surface water flood risk at the site is not particularly significant, the school is at the top end of a local catchment which does have significant flood risk further downstream (generally south and east of the school), therefore the management of surface water will be an important consideration for this development. The flood risk assessment states that the development will limit run-off from the site to 5l/s/ha. This will be achieved through a range of surface water storage facilities totalling 1,920m³. The exact details of the drainage system are yet to be worked out but have been agreed in principle with Harrow and Brent Councils Lead Local Flood Authorities. Therefore, the proposals are acceptable in terms of London Plan Policy 5:13 'Sustainable Drainage', and need to be secured by appropriate planning conditions.

Transport

77 It is proposed that the current access road is diverted in order to reduce conflicts between pedestrians and vehicular traffic. A new vehicular access is to be provided via Garlands Lane, with a segregated pedestrian access south of this point. TfL is satisfied with this arrangement.

78 Visitor parking for 16 spaces (including 4 disabled spaces) is to be provided for the Mathematics buildings. A further 2 disabled parking spaces will be provided outside the current Harrow Rifle Corps offices. Furthermore, an additional 13 spaces will be created for the dining hall. TfL is satisfied that the increase in car parking quantum has been appropriately justified within the Transport Assessment.

79 TfL considers that the proposal will result in a minimal uplift in trips, thus it will have a negligible impact on the strategic transport network. TfL is also satisfied that impact to existing bus service will be insignificant. Therefore, TfL will not be seeking any mitigation measures. 6 cycle parking spaces are to be provided for the sports building with a further 4 spaces provided adjacent to the dining hall service area. TfL welcomes this provision of cycle parking and is satisfied that it meets London Plan cycle parking standards.

80 To minimise the impact of this development on the highway network during the construction and operational phase TfL requests that a delivery and servicing plan (DSP) and construction logistics plan (CLP) are submitted to the Council for approval. At the pre-application stage, TfL requested a travel plan, however given the nature of the school and additional justification within the Transport Assessment, TfL accepts that a school travel plan would not be necessary for this redevelopment.

81 As the proposal is to be used wholly or mainly for the provision of education as a school or college, Mayoral CIL charging is therefore not applicable.

Local planning authority's position

82 Harrow Council planning officers have yet to confirm their position.

Representations

83 To date over 1,300 petitions of objections to the scheme has been registered on change.org and on WriteOn sent directly to the Mayor of London and Harrow Assembly Member – Navin Shah, from residents and societies including the Harrow Hill Trust. Concerns include loss of MOL, overdevelopment and lack of sufficient public consultation. These will need to be considered by the Council in its

reporting of the scheme, and will be further assessed by GLA officers at Stage 2, whether the Council has addressed them, in the case of approval.

Legal considerations

84 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

85 There are no financial considerations at this stage.

Conclusion

86 London Plan policies on principle of land use - provision of education facilities on MOL, playing fields and community use, biodiversity, urban design, inclusive access, sustainable development/energy, flooding management and transport are the key strategic issues relevant to this planning application. Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not fully comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming fully compliant with the London Plan:

- **Principle of land use – provision of education facilities on MOL:** The proposed school redevelopment, in particular the Sports Building is 'inappropriate' development on MOL and the applicant is required to demonstrate very special circumstances to justify the development. As discussed above, the MOL swap arrangement is acceptable as it is well considered and will result in a net gain in footprint, with equivalent or greater MOL quality, more functional and open landscaped area. This MOL land swap identified in the Harrow School SPD, the academic needs, and the proposed enhanced community use, all combine to constitute very special circumstances justifying the 'inappropriate' development of the proposed Sports Building on MOL.
- **Playing fields and community use:** Whilst the School's commitment for an enhanced community use of the sports facilities is welcomed and supported, the applicant should continue its engagement with the local community, nearby schools and sport clubs in the production of the community use plan, which demonstrates the extent of proposed community use of the facilities, in a form that can be secured by the Council to ensure delivery.
- **Biodiversity:** The proposed implementation of biodiversity best practice guidelines including the mitigation measures will minimise the adverse impact of the proposed redevelopment. This is supported and need to be conditioned.
- **Urban design:** In regard to any impact of the redevelopment on the character of the MOL, officers are content that the proposals as they utilise the natural slope will appear as an integral feature of the wider school campus and would have limited impact on its open character as a result. However, the Council is encouraged to secure key details such as window reveals and samples of all facing materials and the treatment of roofs through appropriate conditions.

- **Inclusive access:** Given the natural slope of the site, it is noted that incorporating inclusive access is extremely challenging. However, the applicant has committed to provide wherever possible to meet the minimum requirements of inclusive design, which is supported and welcomed. The proposed measures need to be conditioned.
- **Sustainable development – energy:** The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan, which is welcomed. However, the concerns highlighted above should be addressed before compliance with London Plan energy policy can be verified.
- **Flooding management:** The proposals are acceptable in terms of London Plan Policies 5.12 ‘Flood Risk’ and 5:13 ‘Sustainable Drainage’, and need to be secured by appropriate planning conditions.
- **Transport:** No strategic transport concerns. However, the submission of a delivery and servicing plan and construction logistics plan should be conditioned.

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Appendices

Appendix 1: The proposed MOL swap diagram:

Source – applicant’s planning documentation, April 2016.



Appendix 2: Selected views of visual impact analysis.

Source – applicant’s planning documentation, April 2016



Long view from southern edge of Harrow Park looking north



View from far side of the Athletics Track looking north east



View at night – from the far corner of the Athletics Track looking west



View from Capital Ring viewpoint adjacent to the Watford Road

