

VCR:

Date: Friday, 10 March 2017

Location: Chamber, City Hall

Hearing: Representation Hearing

Start time: 9.00am

Finish time: 10.30am

Speakers:

Sadiq Khan, Mayor of London

James Murray, Deputy Mayor for Housing

Jules Pipe, Deputy Mayor in Planning, Regeneration and Skills

Stephen Gardiner, Principal Solicitor, Property and Planning Law (Legal Adviser)

Hermine Sanson, Senior Strategic Planner, Greater London Authority (Case Officer)

Sarah Considine, Strategic Planning Manager - Development Decisions

Colin Wilson, Senior Manager - Planning Decisions

Simon Baxter, Origin Housing (Applicant)

Stephen Greek, Councillor for Harrow (Objector)

Barry H Kendler, Councillor for Harrow (Objector)

Alison Cowie, Transport for London

Joe Wilkinson, Senior Co-ordinator

VCR:

Date: Friday, 10 March 2017

Location: Chamber, City Hall

Hearing: Representation Hearing

**Sadiq Khan (Mayor of London):** OK. Can you all hear, even those in the public gallery? Welcome. I will begin by opening this Mayoral Representation Hearing into the clarification that I have called in at Palmerston Road in Harrow. I will begin by getting my Legal Officer, Stephen Gardiner, to set out the hearing procedure and we will then move to my Officer's presentation of the case. Stephen.

**Stephen Gardiner (Principal Solicitor, Property and Planning Law):** Thank you, Mayor. My name is Stephen Gardiner and I am the Legal Adviser to the Mayor today. I would like to begin by setting out some formalities. This is a meeting held in public and it is open to anyone to attend. We are following an agenda this morning and I hope you all have a copy of this. If not, you will find copies together with copies of the report and the addendum report to the Mayor on this planning application on the desk near the entrance to the Chamber.

There was a site visit. The Mayor attended the site on 28 February this year. The Mayor was accompanied by officers, representatives from Harrow Council, and the applicant. The site visit was conducted in accordance with the Greater London Authority's (GLA) procedure for Representation Hearings and no representations were made to the Mayor during the visit.

As to speakers, they have all been given an allotted time to speak and it is set out in the agenda. When it is your turn to speak you will be asked to come forward to the table. A transcript of the proceedings today is being produced so it would be helpful if, when you come forward, you could clearly introduce yourself before you begin to speak. Speakers should confine their comments to the material of the planning considerations and ensure that their comments do not conflict with the GLA's Diversity and Equality Statement. All speakers will be notified 30 seconds before their time is due to run out. When speakers have finished addressing the Mayor, there will be no further opportunity to speak unless the Mayor asks a direct question of them.

If a member of the public interrupts the hearing at any point, the Mayor will warn them and may order their removal from the Chamber.

For the decision, having heard all the representations, the Mayor may decide he is able to make a decision today. However, if the Mayor decides he needs more time to consider the applications he will make his decision within five working days of today and the decision will be posted on the GLA's website.

Finally, we are not expecting an evacuation alarm this morning and in the event of the alarm sounding during the hearing you will be directed towards the nearest evacuation route. Thank you.

**Sadiq Khan (Mayor of London):** Thanks.

**Hermine Sanson (Senior Strategic Planner, Greater London Authority):** Thank you, Mayor. Thank you, Stephen. For the purpose of the report, my name is Hermine Sanson and I am a Senior Strategic Planner of the GLA. The content of this presentation we set out the site and surroundings, the application site, the special planning permission context. I will then run through the description of the proposed development, the results of the public consultation, Harrow Council's reasons for its refusal, the key issues arise about the application, which the Mayor must consider, and finally the recommendation to the Mayor.

Starting with the site and surroundings, the site shown in red here is located in Wealdstone, approximately 200 metres from Harrow and Wealdstone Station. It is near to Wealdstone town centre. In the context of the plan it is located on the south side of Palmerston Road and George Grange Way Roundabout and beneath the George Grange Way Flyover, which traverses and oversails the site. It also has a frontage of Masons Avenue to the south. The site is well served by public transport and report a very good public transport accessibility.

The application site is situated in a mixed-use area with retail uses in pink around Wealdstone High Street, commercial and industrial in yellow, and housing in green. On this side, yellow shows predominantly two-storey London terraces and one-house buildings. It ranges up to four storeys, Wealdstone High Street and some other commercial buildings. The elements of this site highlighted in blue, not of the application site, are likely to be (Several inaudible words). South of the station, development is also likely to be up to 12 storeys.

This is a photo of the site as you approach it from Harrow and Wealdstone Station. This is the entrance of the site from Masons Avenue. This is the site under the flyover. This is a view of the site we saw from the flyover looking towards the west and Masons Avenue. So you can see the existing warehouse buildings that are currently on the site and (Inaudible) house, which is a blue building that is not part of the application site but marks the boundary of the site to the west. This is a view of the back garden of the properties on Masons Avenue, which you saw as well when you crossed the flyover, and this part of the site is east of the flyover. This is south of the back gardens heading north. Again, this is on the eastern front of the site and this part of the site is currently occupied by workshop buildings, which accommodate car-related uses.

We now look at the Wealdstone spatial quality context. The site falls within the Harrow and Wealdstone Opportunity Area, as identified by the London Plan. It is also within the Heart of Harrow Housing Zone, which seeks to unlock and accelerate the delivery of new homes in the area over the next ten years. At the local level, the application site is part of an allocated development site, allocated site 6: Palmerston Road/George Grange Way, identified in the Harrow and Wealdstone Area Action Plan (AAP), and in fact the location (Inaudible) the

comprehensive redevelopment of the site to provide mixed-use commercial with enabling housing.

I will now take you through a brief planning history of the application site. So there is a various local planning history related to the industrial business use of the site. There has been extensive pre-application planning discussion with the Council and of course the GLA and the current application was formally validated by the company in April 2016. Harrow resolved to refuse the planning application against officer's recommendation, subject to direction to the Mayor, in November 2016. So, as we mentioned, in January 2017 you decided to take over the application for your own determination.

I have provided some background and context to the application site. I will now move on to the current proposal itself. The proposed development is for the demolition of the existing buildings and redevelopment of the site for a residential-led development with 186 residential units in five blocks of up to 17 storeys. There will be some office space, which includes a workplace facility and hub with again a (Inaudible) space, some flexible commercial, retail and community floor space, and some associated landscaping, public realm, park, cycle parking and servicing.

So this is the proposed ground floor plan. The development will provide commercial, retail and community uses at ground floor that you can see in blue and residential uses in green, areas of public realm and also a play space for the community.

This shows the development proposed building heights. As I mentioned before, there are five blocks proposed in total, two blocks comprising of four towers of 17 and 9 storeys west of the flyover and 15 and 10 storeys east of the flyover. There are also three smaller blocks of five, four and three storeys, and the tallest block, which is seven storeys, is 55 metres high. This is a detailed elevation of the tallest blocks B and C, and the five-storey Block A, viewed from the north.

I will now look at the summary of the responses to the consultation process. The full details of the consultation responses and representations are included within the hearing report and addendum. Mayor, you were initially consulted at page 1 on this application and you responded in June 2016 with your views on the proposal's compliance with the London Plan. The response reported the principle of a residential-led development in the site location, the proposed shift from general industry to office workspace and the affordable housing provision. A number of other specific planning issues were also identified that needed further attention before the application could be recognised as compliant with the London Plan provisions and these were issues around urban design, inclusive design, sustainable development and transport.

The application was referred back to you, Mayor, in December 2015 following the Harrow Council resolution to refuse the planning permission in November and, as set out in this report and your letter to the Council of 9 January, you indicated that the proposal would have significant impact on the implementation of the London Plan and that there were sound

reasons for your intervention in this case. None of the statutory consultees objected to the proposal, subject to various obligations and conditions being secured.

The local amenity group “Campaign for a Better Harrow Environment” objected to the proposal and raised issues with regard to the departure from local policy on building heights, flood risk and the loss of (Inaudible) land. They also questioned the number of jobs that the development would generate.

In response to the consultation, and as reported in the Stage 2 report, Harrow Council raises 11 objections to the scheme and 3 objections following the takeover. Since your decision to take over the application, eight objections have been received and have been sent directly to you and you also received one representation, which you got on the application.

A summary of the key points of objection from the consultation process are listed here and further details are provided in the hearing report. They include objections on the impact of the development on existing infrastructure, services, traffic congestion and parking, and also on neighbouring amenities. They also raise issues on the height of the proposed buildings, the poor quality of the development and the environmental impacts. The representation in support of the application welcomes the provision of new homes in Wealdstone.

I will move on to Harrow’s reasons for refusal. In November there are a total of six reasons for refusal, which I will summarise. The full reasons with the policies listed are set out in the Hearing Report. The six reasons include: overdevelopment; insufficient design quality or community benefit; nonconformity with the designated use, scale and height; the impact of local strategic views; insufficient parking; and unacceptable overshadowing.

In light of the consultation comments and Harrow’s reasons for refusal, you should consider the following key issues. I will go through each in turn, highlighting the key aspect of the scheme and why officers consider the scheme to comply with required policies. Please note that my presentation does not include a full outline of each policy relevant to these matters. A full assessment of the relevant policies and the proposal’s compliance with those policies is set out in detail in the Hearing Report.

I will start with the land use principle. As I have already set out, the site’s location is within an Opportunity Area and Housing Zone. It is also on the edge of Wealdstone District Centre. It has very good public transport accessibility. It is an allocated development site within the Harrow and Wealdstone AAP with aspiration for employment-led enabling residential, training and education uses.

The proposed development is a housing-led scheme with 186 residential units and 1,800 square metres of employment floor space. The proposed development will make more efficient use of the prominent and highly-accessible brownfield sites on the edge of the town centre and contribute to the delivery of much-needed homes in the Opportunity Area and Housing Zone. They reserve also some office floor space in an employment hub that will create a suitable environment for small and medium-sized enterprises in the town centre. It will also deliver flexible retail and commercial/community floor space that would provide

local services for residents that will complement the role and function of the town centre and will also create higher employment densities at the site with the creation of up to 160 jobs. So the matter in consideration, as I have just run through, therefore justify the conflict with elements of the site allocation and overall accord with London Plan policy, local policies and considerations.

Moving on to affordable housing, I will just set out quickly the policy context. The London Plan seeks the maximum available amount of affordable housing to be delivered. Harrow's core strategy requires 40% of new homes to be affordable and the Mayor's draft Affordable Housing and Viability Supplementary Planning Guidance (SPG) sets out detailed guidance on the form and content of viability assessments with a mechanism, and sets out a proposed 35% approach to viability. The applicant's financial viability assessment has been independently assessed by the GLA and the Council on this basis.

Detailed assessments of the affordable housing are set out again in the Hearing Report, so I will just summarise quickly the findings of the assessments for the benefit of the Hearing. The affordable housing offer is the following: the scheme will deliver 41% affordable housing in line with London Plan policy, the draft SPG and Harrow's local policies. A split of 67% shared ownership and 33% affordable rents, which is consistent with local policy, which favours intermediate provision in Wealdstone Central. In addition, we have also secured a review mechanism to re-evaluate the scheme and viability at a later date to seek to achieve up to 50% of affordable housing if the viability of this scheme improves. Details of the viability updates on the latest affordable housing funding guidance and this will be secured as well. Finally, and this is covered in detail in the Hearing Report, this scheme will deliver housing of good quality, which complies with the London Plan and local standards.

Urban design. I mentioned earlier that the application proposed to construct five blocks of up to 17 storeys in height with a mix of (Several inaudible words). In terms of the local planning policy context, allocated site 6 establishes the maximum height for buildings on the application site at six storeys and requires special justification for proposals exceeding this height. We took you through the site as you approach it from the town centre and then from within the site.

I have mentioned the three blocks of five, four and three storeys, which respect the (Inaudible) and height of surrounding buildings, including the town centre buildings and the adjacent Victorian terraces. There are also two blocks or four towers with 17 and 9 storeys, 15 and 10 storeys, that seek to create a gateway into the centre of Wealdstone. The taller block creates a local landmark and helps make the town centre more identifiable and improve orientation. This responds to the objectives of the Harrow and Wealdstone AAP. The two blocks also begin to provide enclosure to the roundabout also sought by the site allocation. The arrangement of the buildings allows the main public places to be well lit while the shadow falls on to the highway and roundabout. We can see the shadow at the back of the terrace. The main (Several inaudible words) of this scheme is in the local area around the flyover and creating a new place adjacent but still near to the town centre as a home to community and commercial activities.

I will now show you some views that show the proposed development within its wider context. You have looked at these views when you went on site on 28 February. This view down the George Grange Way into the site clearly shows the site as a gateway as you head into London. Again, as you can see, this view shows a gateway effect around the main arterial route out of London. This marks the entrance of Wealdstone town centre. This view gives an indication of the taller elements in the context of the London terrace street of Masons Avenue. The environment is already urban with the flyover terminating the view. This is a view from the development in the context of Wealdstone High Street.

The scheme improves the permeability and it is now possible to walk from Masons Avenue to Palmerston Road. This will contribute to delivering the key design principles of the AAP that encourages pedestrian movements between the station and the town centre.

I will now show you an image of the proposed Block A located in the western part of the site. This image shows Block A, one of the lower blocks that is two and five storeys in height. The building creates as strong street frontage doors facing the pedestrian routes, allowing for a defensible space and an overlooked and safe environment. It is also fronted by residential on the opposite side at the base of the tower block. The building is a strong brick composition, typical of the surrounding buildings and established in their vernacular. It includes some quality detailing and overall creates a pleasant street frontage with the residential on both sides.

The ground floor around the flyover will be generally for commercial use and it provides daytime activity and natural surveillance. Older buildings may be unified by quality public realm and landscaping. As part of the conditions, we will ensure that the details of landscaping and lighting, accessibility and playing equipment are secured. These are precedent(?) images that show what this place under this flyover could look like. As I have mentioned before, the proposed development will make provision for an area of play space, making it ideal for year-round use, and the lighting strategy would be also secured by condition and we would ensure that this place is of quality.

From Masons Avenue, the Hub, which is a work space, as I mentioned, with a gallery and event space, will bring definition, constitute an active frontage, will activate this space under the flyover and also enhance the street.

The materials have not been agreed but a condition will ensure that the highest quality of materials undertaking are secured. It is intended that the applicant uses a high-quality Belgian brick with a rich and earthy texture for the lower buildings and this will reflect the character of the area. It will also contrast with the (Inaudible) stone that will be used for the tallest building and that is more appropriate for landmark buildings.

The site also lies within two locally protected views that have been assessed by the applicants, the locally protected view from Wood Farm and the locally protected view from Roxborough Road Footbridge. These verified views from Wood Farm show that the tallest tower of the development would be visible but, given the distance of the view, the impact would be negligible and the development would also lie well to the right of Harrow-on-the-Hill. This

view also shows that development would be visible from this viewpoint and protrudes slightly above the (Inaudible) but the impact will also be negligible. The development would have no effect on the composition of the protected views and would not harm the settings of the local views.

To sum up, the proposed development will deliver an attractive design with quality materials and detailing, a quality public realm that will provide active uses and new routes, improving local permeability and connectivity to the surrounding area. Given the site context as well in an Opportunity Area, Housing Zone, near the town centre and Harrow and Wealdstone Station, the development will also contribute to housing, employment and regeneration. Thus, subject to securing the permission and obligation I mentioned, the GLA officers are satisfied that the scheme complies with London Plan policies, the requirement of the site allocation, and policy AAP6 of the Harrow and Wealdstone AAP.

Given the dense and urban nature of this scheme, a number of points have been raised by residents with regard to impacting neighbouring amenities. I will focus in this section on the main impacts raised by neighbouring residents, which are the impacts on daylight and sunlight and also on privacy and (Inaudible). With regard to daylight and sunlight, so the applicant has submitted a full daylight and sunlight assessment that considers the impact of the proposal on a number of existing buildings around the site. The full results are based on the British Research Establishment (BRE) guidance. The applicant's assessment has also been independently assessed for Harrow Council and the Council's Planning Committee Report confirmed that the results demonstrate an acceptable impact on neighbouring properties. The assessment has since then been assessed by us, along with the BRE guidance.

Before I present some of the results, it is necessary for me to briefly explain the BRE methodology for assessing daylight and sunlight. There is a litmus test for (Inaudible) daylight. It is called "Vertical Sky Component" (VSC). This measures the amount of sky that you can see from the centre of the window. The BRE guidelines consider that in an urban environment, if the vertical sky component values are more than 20% then enough sky light should be reaching the windows. If the values are in the teens the impact is deemed unacceptable.

In relation to sunlight, the method applied calculates "Annual Probable Sunlight Hours", which evaluates the amount of sun received for each window that faces within 90 degrees of due south. The windows that do not face within 90 degrees of due south are not applicable. In the present case, all (Inaudible) windows within 90 degrees of due south meet a reasonable standard for sunlight and the development will therefore have no impact on sunlight.

This image on the slide shows the nearby residential buildings that will be the most affected by the development. They are the apartments at 1 to 46 Birchfield, the properties at 15 to 25 Masons Avenue, and the properties at 47 Masons Avenue. I am going to start with 1 to 46 Birchfield, which is 90 metres away from Block A. This 3D map model shows the windows in green that have been assessed and the Hearing Report includes a detailed analysis of the results for all the affected properties. The five-storey residential property at 1 to 46 Birchfield includes 46 flats. You should see at the red arrow. The ground floor windows of the east-



facing elevation have the lowest daylight levels but retain a residual VSC of 22.21%. It is above the 20% I have just mentioned. The flats in 1 to 46 Birchfields will therefore be left with a good level of daylight by normal standards and will not have poor levels of natural illuminance.

The kitchen at number 47 Masons Avenue, the green arrow, will be affected by the development in terms of daylight but will retain a VSC of 21.8%, so again above the 20%. The kitchen is not normally considered an habitable room and therefore the property will not be left with poor living conditions.

Several rooms will also be affected by the development at the properties at 15 to 25 Masons Avenue. Hopefully you can see the yellow arrow here. At number 17, 19, 21, 23 and 25 Masons Avenue, they are bedrooms and they will be affected. They will have daylight levels below the recommended levels but as they are bedrooms they have a lesser requirement for daylight.

The properties at 23 and 25 Masons Avenue, the orange arrow, will experience a reduction in VSC in their dining room, living room and kitchen beyond the recommended levels and residents will materially notice the change. However, reasonable daylight levels will be retained for these rooms.

To conclude, the proposal will result in some daylight impacts in relation to neighbouring properties. The daylight and sunlight impacts have been independently assessed for the Council and GLA and these are considered acceptable in the context of the site redevelopment in an urban area.

Moving on to privacy and outlook, people living at 1 to 46 Birchfield House and also 23 to 25 Masons Avenue have objected to the loss of privacy they would experience as a result of the development. It is acknowledged that the tallest block, Block B and C, will give rise to significant change in outlook for the occupants of these properties and in some instances actual and perceived loss of privacy. However, a 19.8 metre distance will separate Birchfield House and Block A and the separation distance is sufficient to mitigate any intervisibility between the residential units within Block A and those within Birchfield House. The windows in Block A and the windows in the neighbouring terrace on Masons Avenue will also be at an angle rather than directly facing each other. This will sufficiently mitigate any intervisibility between the residential buildings.

Proposed Block E, if you have a look at the red arrow, is a four-storey building that will be 31 metres away from the two-storey rear wall of 47 and 49 Masons Avenue. It is acknowledged that the construction of the building will bring about a significant change for the occupants of these properties. However, 31 metres is considered sufficient in terms of distance to prevent intervisibility and the depth of the rear gardens is also 23 metres. The proximity(?) of Block E would not be detrimental to the outlook of the occupiers of numbers 47 and 49 Masons Avenue.

In terms of the overshadowing, as I have shown in the image, the shadow of the development and the towers will mainly fall on the highway and the roundabout, to the north of the development. It is considered that the development will not raise any issues in terms of overshadowing.

To conclude, there will be again some impact in terms of privacy and outlook, however it is considered that it is outweighed by other public benefits of the scheme such as the provision of affordable housing and the regeneration of the town centre.

With regard to other issues on sustainable development and climate change, this accords with local strategy policies and will exceed the carbon dioxide emission targets. On air quality, the air quality report submitted with the application shows that measures can be implemented to mitigate the impacts of air pollution from the traffic and the demolition and construction phase of the development. Conditions will be secured accordingly. A condition will also secure the submission of revised air quality assessment to take account of the final specifications of the proposed combined heat and power system.

With regard to noise and the impact from the road traffic movement coming from the George Grange Way and roundabout, it will be mitigated by the installation of glazing to an appropriate acoustic environment and this will be secured by conditions.

All these matters are acceptable and complying with relevant London Plan and local policies.

Finally, on transport, the insufficient amount of car parking was one of the Council's reasons for refusal but it is the GLA officer's view that the proposed quantum of car parking is acceptable in a site that is well served by public transport.

With respect to planning obligations, the following heads of terms for this section have been agreed. Obligation will be secured concerning the delivery of affordable housing and the review mechanism; design; employment and training and the operation of the Hub by an identified workspace provider; energy; transport; and the maintenance of the flyover; flood risk; and play space, will also be secured by the section 106.

In addition, there will be financial contributions that have been agreed in order to mitigate the impact of the development and the total is £41,000. There is also an additional amount that the Borough keep that will be levied on the development to fund the infrastructure.

Having now provided the key issues associated with the case, I can confirm GLA's recommendation to the Mayor. They recommend that the Mayor agrees with the recommendation as set out in the official Representation Hearing Report and grants planning permission for the application at the Palmerston Road site, subject to the conditions and reasons set out within the appended draft decision notice and subject to the entire completion of the section 106 agreement. Thank you, Mayor.

**Sadiq Khan (Mayor of London):** Thank you for your report. Can I now hear from the Harrow Council and Councillor Greek? You have five minutes. You will be told when you have half a minute left.

**Stephen Greek (Councillor for Harrow):** Thank you very much, Mr Mayor, and good morning. My name is Stephen Greek and I am one of the lead members of Harrow's Planning Committee. I am here today to urge you to respect and uphold the cross-party decision of Harrow Planning Committee by overwhelming majority on behalf of substantial numbers of local residents to refuse planning permission for this application.

Just in relation to the previous presentation, I would just like to point out that the objectors initiated a number of petitions and if you counted those together there were well over 100 objectors. Our decision reflected a widespread concern, both across the Council and the wider area, about many aspects of this application and its impact on Harrow, from our position across the board, including the former Labour leader of the Council and from the current Deputy Leader of the Conservative Group.

Mr Mayor, as you can see, our reasons for refusal were lengthy and this reflects the many issues that we found with this application and its lack of conformity both with the letter and spirit of Harrow and London Plan policies. In particular, the scale and height of what is being proposed. At up to 17 storeys these buildings would tower above the surrounding area for miles. The local AAP specifically sets a limit for this site of six storeys, which would be entirely proportionate with the surrounding area, but this development would be nearly three times that height.

According to clear policies both in Harrow and the London Plan, particularly AAP6 and 7.7 respectively, tall buildings can only be acceptable if they are of landmark high-quality design. We are sitting here today, Mr Mayor, surrounded by landmark buildings, the Tower of London, St Paul's Cathedral, the Shard, Canary Wharf, the Gherkin, and indeed this building too. Looking at this proposal, it is difficult to see how anyone can honestly conclude that these towers are anywhere near that level. They are completely unimaginative, ugly, concrete-looking blocks with virtually no redeeming features. They have often been described, and I am quoting so please forgive the expression, as "sticking two fingers up to Harrow" and it is not hard to see why.

When this proposal was first presented early this year to our cross-party Major Developments Panel there was a sharp intake of breath all around the room. We could not believe that anyone would consider these buildings suitable for our area, yet here we are. These towers will stick out like a sore thumb in what should be an Opportunity Area for high-quality regeneration. They will threaten world-class protected historic landmarks such as St Mary's Church in Harrow-on-the-Hill and the Harrow Bridge, part of London's cultural heritage and enjoyed by countless numbers of people from inside and outside Harrow.

As you yourself have quite rightly noted, Mr Mayor, most recently in your City for Londoners document, London needs, not just growth, but good growth. This development does not meet that standard. Rather than create a sense of place that the local community can take pride in,

what we have here is an attempt to throw as much housing as possible at an area and pile it up as high as you can without any thought to its local impact. That is not housing, that is warehousing. Rather than stand the test of time, it is the type of development you might seek to knock down in 20 or 30 years' time and sell tickets for the demolition. These are the types of development that give housing a bad name and damage wider public support for the new homes we need.

The development will directly harm the amenity of neighbourhood properties, particularly in terms of overshadowing and privacy. We have heard that the application fails important assessments in terms of overshadowing and privacy. Let us be clear, it fails daylight and BRE assessments and results in perceived and actual loss of privacy, directly contravening a number of Harrow and GLA planning policies, and this one was even acknowledged in the report, calling regrettable but just saying it is outweighed by the apparent benefits of the scheme. That an application, particularly at this level, can even be considered for approval with these kind of problems is simply astounding and of course completely unacceptable.

The development would fail to meet a strategic target of 50% affordable housing, astonishing given that it benefits from grant funding and Housing Zone funding, and the review mechanism that we have heard about will not kick in if the development is built within two years. As your first call-in, Mr Mayor, this application would be a good opportunity to set an important example about the future of your 50% target.

It would also overwhelm local infrastructure, failing to provide substantial changes to the local road network required in the Master Plan to make this development work, to the detriment of all road users but especially pedestrians and cyclists. The level of car parking is totally inadequate an outer London area such as Harrow and I understand that one of the land owners comprising of half the site has not even committed to signing a section 106 agreement at all.

Mr Mayor, when you called in this scheme you rightly said it needed work if it was to realise its potential and you would want to see proposals brought forward that would produce a better scheme. The only change that has been made by this proposal since it was rejected by Harrow's Planning Committee has been a minor amendment to the composition of affordable housing. I cannot see how in any way this meets your own criteria. The only way to get a proper revision of this proposal, and it is the better scheme that you and I both want to see, would be to reject this application so a better scheme can come forward.

Mr Mayor, if you approve this application for this development today, it will be part of your legacy to the people of Harrow. Only you can decide if this is something you want to put your name to but on behalf of the people of Harrow I would urge you to uphold the democratic, well-considered cross-party decision of Harrow's Planning Committee on behalf of Harrow's residents and allow something more proportionate, suitable and beneficial to take its place. Thank you for considering our submission today.

**Sadiq Khan (Mayor of London):** Thank you very much, Councillor Greek. Thank you very much. We now have Councillor Barry Kendler. Again, I think you will be told when there

are 30 seconds to go, just to give you an idea of timing, but you have five minutes now, Barry.

**Barry H Kendler (Councillor for Harrow):** Before we start, Mr Mayor, can I have a quick drink?

**Sadiq Khan (Mayor of London):** Of course you can as long as it is water.

**Barry H Kendler (Councillor for Harrow):** Thank you, Mr Mayor. I was part of that cross-party decision, I am a member of Harrow's Planning Committee, and I was one of the Labour members that voted against this scheme. I am not against, in principle, development on this site. You visited it and I pass it every day when I go to the Civic Centre. It badly needs redevelopment. Wealdstone badly needs regeneration. As I said at the Planning Committee, Field Marshal Montgomery went a bridge too far when he tried to cross the Rhine at Arnhem; this is seven storeys too high. I had voted for ten-storey developments in central Harrow. I do not see why Wealdstone has to put up with two such large blocks as 17 storeys.

Let us look at the planning framework in a different context because it is all about interpretation. You have heard your professional advisers. I have a different view. That is that the Policy Planning Framework, which we all have to work within, talks about improving the conditions in which people live. Plans and decisions need to take local circumstances into account. I reinforce what Councillor Greek said about the strong levels of objection to this scheme including from the Member of Parliament, Mr Gareth Thomas.

Rule 17 in the National Planning Policy Framework (NPPF) core planning principles is, "be genuinely plan-led, empowering local people to shape their surroundings". If you go ahead with this, Mr Mayor, you are doing this to the people of Wealdstone. This is not something they want. They want the area regenerated, they do not want it destroyed and that is what this plan will do.

Let us look at the AAP that our officers had to very delicately skirt around to come up with a recommendation. It says:

*"Within the Wealdstone Central sub area proposals ... be of a ... bulk and scale appropriate to its district centre."*

This is not appropriate or in scale with the local development if you walk around that area.

*"Provide a design which respects, and relates positively to, the centre's heritage and character in terms of architecture."*

I reinforce what Councillor Greek has said about the poor quality of design.

Councillor Greek said six storeys is what is already in our approved AAP. This is not within the local plan. That is not correct. It actually says in the AAP that development in

Wealdstone needs to be more modest than what is taking place in central Harrow. This is not. This is seven storeys higher than what we have agreed in central Harrow.

It needs to be of community benefit. It needs to avoid a canyon effect. You saw some of the pictures where the two main towers are on either side of George Grange Way. I have cycled across that bridge in a high wind. It is tricky. You build these two tower blocks and you can forget anybody cycling across there; they will be blown off their bike. This is a canyon effect specifically prohibited by our AAP. I object on the scale and mass of the development.

It overshadows. What your officer showed you is when the sun is at the south. What she did not show you is when the sun sets in the west. In summer that is for a long time and it actually moves to the north-west. People living in Victorian properties in Herga Road and Masons Avenue will be overshadowed. Our officers, in their report, admitted that and that is why they are so strongly objecting.

Let us take transport and parking. The latest edition of *Rail* very clearly explains the public transport accessibility level (PTAL). Because it has a high PTAL score, that is why the developers - in line with your plan and Harrow's plan - have not put in sufficient planning. I am the Chair of the Traffic and Road Safety Advisory Panel. We are now having to spend limited resources on doing a second review on parking in the area before this goes ahead. The problem with your predecessor's plan regarding PTAL and reducing developers' need to provide parking space is: what do people do at the weekend who want to go out for a ride with their families? Where do they put their car? Having a high PTAL score and not building parking spaces does not stop people with cars buying properties. Until we change that problem you are going to make the parking and transport problems in this area worse.

Then you have the house in multiple occupation (HMO) effect. Outer London is being blighted with lots of new developments being taken over by buy-to-let landlords who then pack people in because it is the only way they can afford the rents. You then get heavy pressure on public services that are being reduced. That is what will happen here unless there are clear conditions to stop that.

Finally, the affordable housing is not affordable. You saw the figures. In 2012 figures came out for the London constituencies that showed Gareth Thomas's [MP] seat has the second lowest average wages of any London constituency. The prices I saw on your display will not help local housing needs. The Housing Enabling Officer said the mix on this scheme is wrong.

Mr Mayor, please do not bring in this scheme. We want to regenerate Wealdstone, not destroy it. I urge you to reject.

**Sadiq Khan (Mayor of London):** Thank you very much, Councillor Kendler. The applicant is here as well. The applicant also gets an opportunity to address me. You have five minutes as well. Again, you will be told when there is 30 seconds to go.

**Simon Baxter (Origin Housing):** Thank you, Mr Mayor. My name is Simon Baxter. I represent Origin Housing, the developer of this site. I am here with our architectural team from Moss Architects, as well as our development consultants and our design consultant so if later there are any technical questions they will be able to answer those as well.

We are bringing forward this high-quality development which comprises landmark buildings. The design has been criticised. I am going to take some quotations from both the Greater London Authority's (GLA's) report and from the Design Review Panel's report into this scheme which is the peer review process by an eminent London architect. The next few sentences I am going to say are quotations from either them or the officer's report:

*"The architectural attributes of the development exceed the bar established in policy for tall buildings of the highest quality architecture. The delivery of a high-quality scheme that would exceed the expected outcomes of the AAP."*

This is from the Design Review Panel, the peer review architect:

*"The design team are to be commended for the ambitiousness of the scheme, which addresses a difficult setoff site in a coherent manner."*

The Council's design consultant considers the proposed tall buildings would represent landmark buildings as required by policy AAP6. Councillor Kendler referred to the officers of the Council. That is what they thought about the scheme:

*"The design evolution is considered to be relevant to the development that would be unique in its surroundings."*

Finally:

*"The proposed development would create a visible collection of prominent high-quality gateway buildings that improve the identity of the area."*

Those are not my words. Those are independent design consultants' words.

I have been asked to respond principally to the reasons for refusal. I will do so although Hermine [Sanson] did go into some detail of those in her report.

Overshadowing. As the report says, there are no issues on overshadowing despite the statements that were previously made by the Councillors. That is not my view. That is the view of independent assessors both employed by the Council and by Origin acting within the BRE guidelines. "The development will have no impact on sunlight." Again, a statement from the officer's report. There are some minor impacts on adjacent properties in terms of their relative situation at present but, again drawing on the officer's report, the flats within Birchfield will be letting in good levels of daylight by BRE urban standards, notwithstanding any detriment from the existing position.

In terms of parking - just responding on those points - the London Plan Policy 6.13 and the AAP19, the London Borough of Harrow relevant policy, seek to limit onsite car parking in support of sustainable transport in areas with high levels of public transport accessibility. This site is two minutes from Harrow & Wealdstone Station on foot. Notwithstanding that, we are providing 69 spaces of which 19 are wheelchair spaces. I notice there is an addendum that says there is insufficient parking for wheelchair spaces. Nineteen is well in excess of the number of wheelchair units that are being provided on the site. In addition, future residents would be restricted from applying for a street permit for the controlled parking zone. Therefore it is not true that it is going to exacerbate the traffic conditions because the amount of car movements the site generates is going to be very limited. If you compare the 2011 census results with 2001, car ownership in Harrow as a borough, in conjunction with other boroughs of London, has declined by 8% over those ten years. It is following a general trend in London of people adopting more sustainable lifestyles by focusing on cycling. To accommodate that we are providing 307 cycling spaces.

I think it was clear from what was shown that the refusal reason with respect to views is clearly not the case. Having regard to visualisation, as it says in the reports:

*“GLA officers are satisfied the development would have no effect on the protected views of Harrow.”*

That was very clear from the photographs that were put up.

There (Several inaudible words) project is not in conformity with the Plan. To end that I should say I would like to commend the excellent and thorough job done by the officers of Harrow who wrote strongly in support of the proposal, having written 116 pages of analysis of the scheme. We have a further 50 pages of analysis from the GLA, again concluding that the scheme should be recommended.

In conclusion I would like to say that the report has considered all the material planning issues associated with the proposed development in conjunction with all the relevant national, regional and local planning policy and has found that the proposed development is acceptable in terms of land-use principles. That is the conclusion in the GLA officer's report. Thank you for your attention.

**Sadiq Khan (Mayor of London):** Thank you very much, Mr Baxter. We have now come to the stage where I can ask questions. I only have a few questions as you have all been very thorough with your various submissions.

First, to the objector. I do not mind which councillor answers the question I have. You are both objectors. The first question is in relation to the tall buildings that [Councillor] Barry [Kendler] in particular was referring to, and also Councillor [Stephen] Greek as well. I note your comments about a landmark. We have heard different views on that. Do you think on this site any tall buildings would be acceptable?



**Stephen Greek (Councillor for Harrow):** Mr Mayor, many thanks for the question. I would say not tall buildings to the scale that have been proposed. As I said, the master plan in the AAP, which is part of the planning policy, recommended six storeys. That would be entirely appropriate. Councillor Kendler mentioned ten. We could have a discussion on that. What we see here is entirely of a different order and that does need to be recognised.

**Barry Kendler (Councillor for Harrow):** As I said in my presentation, Mr Mayor, I have voted and I have divided from Councillor Greek on these when we have had applications for ten storeys in central Harrow. I know the AAP says six. I understand the difficulties developers - and you, yourself - have about the economics of development so I would certainly consider something higher than the APP. However, to jump from six to 17 in such a densely clustered area, and the impact it has on the Victorian housing that will remain around it, is a step too far.

**Sadiq Khan (Mayor of London):** Linked with that, Councillor Kendler, you referred to your knowledge of the area as someone who has been there for many, many years and cycles past it. You know it is an Opportunity Area. Have you noticed a deterioration in the town centre over the years?

**Barry Kendler (Councillor for Harrow):** That is a difficult question to answer, Mr Mayor, because Wealdstone as an area has been crying out for regeneration for decades. I have been involved with Harrow since my parents moved there when I was a small boy in 1957. Wealdstone was always a poor area and it still is. I would say it needs regeneration more than ever. I would support Harrow Council and you in regenerating Harrow. However, we have to get it right. This will be a development that hopefully will last for many, many years. We do not want it to exacerbate problems. Many developments that have gone on around Harrow on a much smaller scale have caused problems. This is because of the transport effects I referred to as PTAL is an aspiration and does not actually change behaviour, and also because of the HMO problem as purchasing is being dominated by buy-to-let landlords. At the moment we do not have a method of addressing that in planning terms.

**Sadiq Khan (Mayor of London):** As far as the economic position is concerned, is it improving, getting worse or staying the same?

**Barry Kendler (Councillor for Harrow):** Again, a very difficult question to answer. Harrow is changing. We have a lot of inward migration. A lot of these people are working. We have a change as the area used to be a dormitory where we provided people to work in the City and West End. Now it is changing as you have a lot of people working in the car trade and construction. The nature of the area is changing. Economically it is booming. People are going out and buying shops. There is huge pressure on housing. However, there is huge pressure to have affordable housing because there is insufficient affordable housing. I mean - as a retired housing officer - genuinely affordable. I could not let properties at these kinds of rents when I was working. If we do not provide proper affordable housing we have - as in my ward - people packed in HMO. I am really worried that is what will happen with this development. The bottom ones that are for sale will be sold off to buy-to-let landlords and people will pack in and actually make the area worse.

The economy is booming but it is having deleterious effects. A lot of people have trucks as a part of their work. I disagree with the Origin guy. There was recently a report in the *Evening Standard* - I think it was around the time of your election - that showed car and truck use in London is going up, largely because of inward migration. It stated in an established community, yes, car use is going down. However, the population is changing and therefore there is more pressure on our roads and not less.

**Sadiq Khan (Mayor of London):** Only a few more questions. The presentation that was given by my officers talked about the VSC. My understanding is these were independently reviewed. Your evidence was different to what was said by the independent review and my experts.

**Stephen Greek (Councillor for Harrow):** What I said was consistent with what was put in the Harrow and GLA reports, which do acknowledge the harm caused from a daylight and from a privacy perspective. We heard from the officer's report that it would, for example, result in actual or perceived overlooking. In your report, and in the Harrow report, there is a list of properties on Masons Avenue and in the neighbouring block of flats where the application fails the BRE daylight assessment. That is not disputed. The report even says that it would cause harm. It then goes on to say that that harm is outweighed by the benefits of the scheme. What I said is not inconsistent with the evidence you have seen. It is a different interpretation as to the importance of it. I would say that on a scheme like this it is completely unacceptable to be doing those sorts of things to the local community.

**Sadiq Khan (Mayor of London):** On a similar theme, what about the difference of opinion between what the independent assessors say and what one of you said in relation to the shadow on the highway and the roundabout?

**Stephen Greek (Councillor for Harrow):** That was part of what I have just said about the BRE daylight assessment and the shadowing. I repeat that the report is very clear that there are a large number of properties that would be adversely affected and would fail the assessment in terms of shadowing. The conclusion that was put in the report was that that level of harm was acceptable. My difference of opinion is that in my view that level of harm is not acceptable. I am not differing in any way from the facts of the matter and the assessment. I am differing on the interpretation and weighting that is given.

**Barry Kandler (Councillor for Harrow):** Could I just get up and show you something with the model, Mr Mayor, please?

**Sadiq Khan (Mayor of London):** Yes.

**Barry Kandler (Councillor for Harrow):** As I say, this is a direct north-south axis. What the officer showed you is when the sun is at its peak from the south, which will be that end. In the summer, around mid-June, the sun is here. Here you have two Victorian-built roads, Herga Road and Masons Avenue, with gardens. The sun will be coming from here and getting lower. You would have a massive shadow cast. I am not arguing on technical

grounds but our officers clearly admitted that those roads will have overshadowing, particularly in the summer months. I do not think the benefits outweigh that.

**Sadiq Khan (Mayor of London):** You have kindly teed up my last question to you, Barry and Stephen, which is: what was the recommendation of the officers of the Planning Committee on this application?

**Barry Kendler (Councillor for Harrow):** It was to accept.

**Sadiq Khan (Mayor of London):** I have a few questions for the applicant now. In relation to the type of accommodation, we have heard comments about affordability and I note the guidance the London Plan gives. Can you tell me what you feel in relation to family-sized housing on this site and getting the balance right?

**Simon Baxter (Origin Housing):** There is reference in both the London Borough of Harrow's officers' report and in the GLA report about the balance of housing. This is clearly an urban centre site with very good public transport accessibility. There is a relatively small number of three-bedroom properties but I think that is appropriate for particular location. That is why we have a majority of one and two-bedroom properties at this location.

**Sadiq Khan (Mayor of London):** Obviously this is a big issue for the Councillors in relation to the impact of the building to the area. You only had five minutes and you were trying to get through a lot of information. Can you talk me through the independent assessment of this because obviously the Councillors know the area very well and have raised issues about that?

**Simon Baxter (Origin Housing):** In relation to daylight and the BRE?

**Sadiq Khan (Mayor of London):** Yes.

**Simon Baxter (Origin Housing):** The BRE issues guidelines. These are guidelines, not standards. They apply on a national basis. London does not have its own BRE standards. What all planning consultants and planning officers will say to you is that it has to be recognised that in an urban context compromises happen. Within a very central urban context, such as this, some compromises are required. There is a small number of properties - principally Birchfield and a handful of houses of Masons Avenue - where compared to their existing situation there is a deterioration in the amount of daylight. As your case officer's report said, it is still above the standard in terms of the guidelines that the BRE would expect in an urban environment. A figure of 20% has been cited and I believe all the ones cited, bar possibly one, were above that 20%. Within the context of the urban environment this scheme impacts very little on adjacent properties given that, I agree, it is a large development.

**Sadiq Khan (Mayor of London):** I have no further questions. I thank all of you who have given evidence for your succinct nature bearing in mind we got through so much. What I am going to do is retire to consider the points. I will take at least ten minutes, just to warn you, so you can stretch your legs for at least ten minutes. It may take longer as I will go through the notes I have been making. Thank you very much.

(Adjournment)

**Sadiq Khan (Mayor of London):** Thank you. I would like to begin by thanking everyone who has attended today - including objectors, the applicant and the Council - for the contributions they have made to the debate and for ensuring that before I make my decision I am as fully informed as I can be about the issues surrounding the planning application.

I called in these schemes to subject them to further scrutiny. If we are to deliver the genuinely affordable good-quality homes Londoners urgently need I am determined to ensure that we explore all options for development across the capital. This includes increasing density in areas that can support it and are well-connected to London's transport network. Palmerston Road is already well-connected to public transport, is within a town centre that is in need of regeneration and would benefit from new investment and an increased population.

Through my recent Strategic Planning Guidance I said I would like there to be a more certain route through the planning process for developers who offer at least 35% affordable housing. This is part of my wider effort to move towards a long-term strategic target of 50% affordable homes across all new developments in the capital. The site is within an Opportunity Area and is also within one my housing zones. Both local and London Plan policy promote the delivery of homes to Londoners in these locations. The development at Palmerston Road also offers a high level of affordable of 41%, which is particularly important as we move towards my long-term strategic target of 50% affordable housing across all new developments in London.

Can I address a specific point made by the objectors here? The tenure split of the 74 affordable homes is 67% shared ownership and 33% affordable rents. This accords with the Harrow and Wealdstone AAP and policy. The rent levels are in accordance with my criteria of what a genuinely affordable rent is.

Of course, it is absolutely right that as part of my drive towards good growth, as I set out in *A City for All Londoners*, I ensure that existing communities are respected and that very careful consideration is given to impacts on their lives and livelihoods. I have listened to the case for the developer and the Council and also the concerns of residents. I have visited the area. The town centre has deteriorated over the years. The objector accepts the economic position is improving.

This high-density development will deliver the much needed good-quality genuinely affordable homes Londoners need in an area of the capital that can sustain further development without an adverse impact on the community that surrounds it. For these reasons I agree with my planning officer's recommendation and grant planning permission for this development. Thank you very much.