

RAF Bentley Priory, Stanmore

in the London Borough of Harrow

planning application no. P/1726/11

Strategic planning application stage II referral (new powers)

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

The proposal

Change of use from a defence establishment to provide 93 dwellings with ancillary buildings, concierge building and entrance gates with associated car parking works to landscape with improved means of access to the common and demolition of listed buildings - (amendments to previous planning permission reference P/1452/08CFU dated 16/09/2010 comprising four additional units, removal of energy centre, addition of single storey concierge building and security gates with new lay by, additional parking spaces, re-siting of refuse/cycle stores and alterations to elevations of dwellings).

The applicant

The applicant is **Barratt Homes North London**, and the architect is **Robert Adam Architects**.

Strategic issues

The concerns raised at the consultation stage regarding **Green Belt, heritage, affordable housing** and **climate change** have been satisfactorily addressed, and the proposal now accords with strategic planning policy.

The Council's decision

In this instance Harrow Council has resolved to grant permission subject to condition and completion of the section 106 legal agreement.

Recommendation

That Harrow Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

Context

1 On the 29 July 2011 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: "(a) development 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 floorspace of more than 1,000 square metres or a material change in the use of such a building.”

2 On 5 September 2011 the Mayor considered planning report PDU/2099b/01, and subsequently advised Harrow Council that the application did not comply with the London Plan, for the reasons set out in paragraph 53 of the above-mentioned report; but that the possible remedies set out in paragraph 55 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 27 September 2011 Harrow Council decided that it was minded to grant planning permission for the revised application, and on 5 October 2011 it advised the Mayor of this decision. 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 Council under Article 6 to refuse the application. The Mayor has until 18 October 2011 to notify the Council of his decision and to issue any direction.

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

Update

5 At the consultation stage Harrow Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 53 of the above-mentioned report; but that the possible remedies set out in paragraph 55 of that report could address these deficiencies:

- **Green Belt:** The proposal to redevelop the Major Developed Site in the Green Belt is deemed appropriate in strategic planning policy terms as per the extant permission. However, sufficient information to fully understand the potential impact on the openness of the Green Belt has not been provided. The applicant should provide further details of the built footprint, broken down by site area, as per the existing situation, as per the extant permission, and as now proposed. Where possible the applicant should also seek to provide visual representations of the proposal against the existing situation at the site.
- **Heritage:** Sufficient information regarding the potential for a negative impact on the registered Historic Park and Garden has not been submitted and therefore cannot determine acceptability with London Plan Policy. Further information is requested as per above, to fully understand the developments impact on the registered Historic Park and Garden.
- **Affordable Housing:** The contribution to off-site affordable housing should be reconsidered in light of the proposed uplift in private residential units.
- **Climate Change:** Further information is required before the proposals can be considered acceptable in London Plan Policy terms. The applicant should provide further information regarding the nature of the communal heating system in the new apartment blocks and the integration of the GSHP, and the proposed passive design features to reduce the need for cooling. The applicant should also verify the overall carbon dioxide savings relative to a 2010 Building Regulations compliant development.

Green Belt

6 At the consultation stage it was requested that further details of the built footprint be provided, broken down by site area, as per the existing situation, as per the extant permission, and as now proposed to allow officer's to fully understand the potential impact on the openness of the Green Belt, with specific regard to those areas proposing new built elements in areas two, three and four. Since this request was made, the described schedule has been provided.

7 In response to the concerns raised at stage one regarding the construction of the single-storey detached garage and concierge building situated to the south of the gatehouse dwelling at Plot 2.1, the applicant has revised the layout by combining the proposed concierge and garage building. Whilst the concierge building has remained the same size as originally proposed, the garage has been reduced in size to accommodate a single car, reducing the built footprint of the site by 11.5 sq.m, which is welcomed. This reduction has allowed for the revised concierge/garage building to be stepped back from the road, making it possible to retain a mature tree that would have been removed as per the original proposal. The proposed lay-by for the concierge building has also been omitted as part of the revisions to Area 2 and has allowed for the retention of another mature tree that would have been lost to the original layout. The retention of these trees will further contribute to the mitigation of any potential impact on the Green Belt by allowing the continued provision of natural screening that the trees currently provide.

8 The reduction in the dispersal of proposed development through the combination of the concierge and garage building, the decrease of built footprint across the area and the retention of existing mature trees as represented by the above revisions, is welcomed by officers. On balance it is considered that the revised layout of the proposed buildings in Area 2 addresses the concerns raised at the consultation stage and is now considered to have an acceptable impact on the Green Belt.

9 In addition to the request for the provision of a schedule of built footprint at the initial consultation stage, it was also requested that *"where possible the applicant should also seek to provide visual representations (by way of illustration or three-dimension block modelling) of the proposal"* to assist officers in fully assessing the potential impacts of the proposal on the Green Belt, with particular regard to areas three and four where the new residential units were proposed. Since this request was made, the applicant has engaged in constructive discussions with GLA officers and visual representations have been received for those areas that raised specific concerns.

10 Officers noted at the consultation stage that it was proposed to add two new residential units in area three; one to each end of the western terrace which is situated to the east of the area. The proposed additional development in this area represents an additional 263 sq.m (3,118 sq.m) footprint over that of the extant permission (2,855 sq.m). However, the requested schedule confirms that the revised scheme still represents a 381 sq.m reduction in built footprint compared to that of the existing development in the area (3,499 sq.m). Whilst the reduction in built footprint is welcomed and accepted, it was acknowledged that the addition of two units to the western terrace would result in the elongation of the residential block, thus reducing the space between the adjacent buildings, increasing the sense of enclosure and negatively impacting on the openness of the Green Belt. As noted above, the applicant has subsequently provided some visual representations of key views from within the courtyard looking out of the area. The drawings provided demonstrate that the proposed relationship between the western terrace and the dwelling to the south (plot 3.29 and 3.23) still allow for acceptable views out of the site from within the courtyard, and that the distance between the buildings are similar to some of the previously approved layout within this area, notably between plots 3.25 and 3.26. On further consideration and in light of the additional information provided, the layout of the proposed dwellings within area three are considered acceptable with regard to Annex C of PPG 2 and London Plan Policy 7.16.

11 In addition to the above, similar concerns were raised with regard to the increased sense of enclosure within area four as a result of the two new dwellings proposed; one to the eastern

terrace and one to the southern terrace. The applicant was asked to provide further information regarding built footprint and visual representations to allow an appropriate assessment of the potential negative impact on the Green Belt in this area, which have since been provided. It is noted that whilst the proposed development in this area represents a 250 sq.m (1,749 sq.m) increase in footprint over the extant permission (1,499 sq.m), the proposals still represent a significant 693 sq.m reduction in built footprint when compared to the existing situation (2,442 sq.m). This is accepted.

12 However, significant concerns were raised with regards to the tight relationship of the buildings as a result of the elongation of the southern and eastern terraces to accommodate the proposed residential units. In response the applicant has submitted a revised layout for the area. Whilst officers note that the revised location of the gatehouse dwellings to the west of the area are now two metres closer, the southern gatehouse dwelling and the southern terrace are now separated by six metres and the southern and eastern terrace are now separated by five metres, thus providing a significant improvement to the openness of the site. The requested visual representations reinforce the improved relationship of the buildings by demonstrating the ability to obtain clear views through the site from the access road. The proposed layout now better resembles that of the extant permission and is considered to be acceptable.

13 In summary, the concerns associated with the further dispersal of development across the site through the introduction of new built elements to areas two, three and four and the potential for the proposals to negatively impact on the openness of the Green Belt have been addressed through the provision of further information and revisions to the site layout. Officers are now satisfied that the revised design and layout is in general accordance with the principles set out in PPG 2 and London Plan policy 7.16.

Heritage

14 At the initial consultation stage officers raised concerns that the potential for the proposals to have an adverse impact on the openness of the Green Belt, may also represent the potential for a negative impact on the significance of the Grade II listed Registered Historic Park and Gardens. As per above, the applicant was asked to provide a schedule of the built footprint, as per the existing situation, as per the extant permission, and as now proposed. Visual representations of the proposals for the areas of concern were also requested to allow an appropriate assessment of any potential impact on the Green Belt and the Historic Park and Garden.

15 The further information requested has since been submitted and as discussed above has allayed officers concerns with regard to the proposals impact on the Green Belt and as a result the Historic Park and Garden. Officer's note that the height of the proposed buildings will not exceed the height of those existing and that the new units are situated in areas where development was previously approved, thus preserving the setting of the Grade II* Listed Mansion House. The revised layout does not encroach into the important areas of the listed garden and allows for the retention of a number of mature trees in area two that were to be removed under the original proposals. This is welcomed as per the discussion in paragraphs 8 and 9.

16 In summary, the concerns associated with the proposals potential to impact on the significance of the Historic Park and Garden expressed at the consultation stage have been satisfied through the provision of further information and revisions to the building layout. It is considered that the revised proposals generally accord with the principles of PPS5 and London Plan Policies 7.8 and 7.9.

Affordable Housing

17 Officer's noted at the consultation stage that the extant permission P/1452/08/CFU was subject to a £1,000,000 contribution towards off site affordable housing and that the applicant

proposed that this planning obligation be re-applied to the revised scheme. In response officers concluded it was reasonable that this contribution should be reassessed to reflect the uplift in private residential housing. The applicant has since offered to provide an additional contribution of £38,835 to off site affordable housing to reflect the additional four units proposed. The figure has been derived by pro-rating the £1,000,000 contribution for the extant permission to the 107 units now proposed. This translates to a figure of £9,708.74 per unit, which when multiplied by the four extra units gives the amended figure. Therefore the total revised contribution to off site affordable housing is £1,038,835. Officers note that this additional contribution has been secured in the draft Section 106 agreement and is strongly supported.

18 It is understood that the applicants were to pay the £1,000,000 contribution secured by the extant permission to Harrow Council on 16 September 2011, and therefore the additional contribution of £38,835 to be secured by the revised scheme should be paid on implementation of the permission sought by the current application. Officers note that this has been reflected in an amendment to the draft Heads of Terms which are detailed in the addendum to the Harrow Council's committee report. This is considered acceptable.

19 In summary, the concerns associated with the applicant's contribution to affordable housing have been satisfied through the provision of further information and through the Section 106 agreement and on this basis officers are broadly satisfied that the proposal is in accordance with London Plan policy 3.12.

Climate Change

20 At the consultation stage various clarifications were sought to ensure the proposal complied with London Plan energy policies. Since these requests were made, a revised energy strategy has been provided and the applicant has engaged in constructive discussions with GLA energy officers to resolve concerns that were raised.

21 The updated energy strategy confirms that the new build element of the development is estimated to achieve a reduction of 53 tonnes per annum (15%) in CO₂ emissions compared to a 2010 Building Regulations compliant development. This is acceptable and broadly accords with London Plan Policy 5.2.

22 The applicant has provided two schematics which suggest that the air source heat pumps (ASHP) will provide heat into the site heat network, with heat exchangers provided for each new dwelling. However, officers raised concerns that at the operating temperatures proposed, 70C flow and 55C return, the ASHP are likely to have a poor coefficient of performance. Robust evidence that the ASHPs will operate effectively when supplying heat at this temperature was subsequently sought and received from the applicant. The updated information confirms that the heat network will in fact be designed to operate at a lower temperature (e.g. 45C return) than originally suggested. The ASHP will be used to raise the return temperature from 45 to 55C with the gas boilers raising it further to 70C. These temperatures of operation will allow the ASHP to be integrated into the heat network. This approach is accepted in accordance with London Plan Policy 5.5.

23 Further information on the passive design measures proposed have also been provided. Shading measures and thermal mass will be used to minimise any requirement for active cooling. No further information is required and this is considered acceptable in the terms of London Plan Policy 5.9.

24 The applicant has submitted further information clarifying how the ASHP will be integrated in the heat network (see comments above) and that individual building heat pumps will be used in the large dwellings at the top of the site. This is accepted in accordance with London Plan Policy 5.5.

25 London Plan Policy 5.7 seeks to increase the proportion of energy generated from renewable sources. The revised energy strategy claims that a reduction in regulated CO₂ emissions of 82 tonnes per annum (27%) will be achieved through this third element of the energy hierarchy. Officer's noted that this appeared high. However, the applicant has subsequently confirmed that this level of saving will be achieved through renewable energy. This is considered acceptable.

26 The updated energy strategy suggests that the total savings will be 135 tonnes of CO₂ per annum from the new build elements. This is acceptable and broadly accords with London Plan Policy 5.2.

27 In summary, the further information provided has addressed the energy concerns raised at the consultation stage, and the application now complies with London Plan energy policies.

Transport for London's comments

28 As per TfL's stage one comments, TfL remains satisfied that the proposal would not raise any strategic transport issues which have not already been considered by the Mayor as part of the extant planning permission at the site (GLA report reference: PDU/2099/02). However, TfL requests that all transport-related planning conditions and/or obligations, secured as part of the extant permission, be retained for this application.

Response to consultation

29 Harrow Council publicised the application by sending letters to nearby properties in the vicinity of the site, and issuing site and press notices.

Public Consultation

30 In response to the public consultation, the Council received a total of 10 objections, including a petition of 14 signatures in objection. The formal letters of objection were received from local residents and The Stanmore Society.

31 The objections were related to overdevelopment in the area, population density, traffic, pressure on local infrastructure and local amenities, water pressure, demolition of listed buildings, scale of the proposed gatehouse, noise, loss of trees and green space, building footprint, addition of concierge building and lay-by, rainwater runoff and the scale and mass of development would be out of character with the area.

Response from other organisations

32 English Heritage recommended that the application should be determined in accordance with national and local guidance, and on the basis of Harrow Council's specialist conservation advice. Thames Water assessed the application and raised no objection and Natural England concluded that from the information provided the changes to the consented scheme would have a significant impact on the ecology of the site. The Environment Agency recommended conditions that require the details of the surface water drainage system and buffer zones alongside the ditches are to be submitted and approved.

33 The statutory and non-statutory responses to the Council's consultation, do not raise any material planning issues of strategic importance that have not already been considered by the Mayor at the consultation stage and/or in this report.

Legal considerations

34 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

35 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

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

Conclusion

37 The outstanding matters raised at the consultation stage have been addressed, and the proposal is now consistent with the London Plan.

RAF Bentley Priory, Stanmore

in the London Borough of Harrow

planning application no. P/1726/11

Strategic planning application stage 1 referral (new powers)

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

The proposal

Change of use from a defence establishment to provide 93 dwellings with ancillary buildings, concierge building and entrance gates with associated car parking works to landscape with improved means of access to the common and demolition of listed buildings - (amendments to previous planning permission reference P/1452/08CFU dated 16/09/2010 comprising four additional units, removal of energy centre, addition of single storey concierge building and security gates with new lay by, additional parking spaces, re-siting of refuse/cycle stores and alterations to elevations of dwellings).

The applicant

The applicant is **Barratt Homes North London**, and the architect is **Robert Adam Architects**.

Strategic issues

The landuse principle to develop a major developed site in the **Green Belt** was considered acceptable in strategic planning terms as of the extant permission P/1452/08/CFU. However, further information is required to fully assess the potential for further impact of the revised proposal on the **Green Belt** and designated **Heritage Asset**. The contribution to **affordable housing** should be reassessed in light of the uplift in private residential housing. The **energy** strategy is broadly in line with London Plan energy policies but additional further information is required.

Recommendation

That Harrow Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 53 of this report; but that the possible remedies set out in paragraph 55 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if Harrow resolve to refuse permission, but it must be referred back if Harrow resolve to grant permission.

Context

1 On 29 July 2011 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 8 September 2011 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: *"(a) development 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 floorspace of more than 1,000 square metres or a material change in the use of such a 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 Harrow 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 RAF Bentley Priory was an active (although non-flying) RAF station until 30 May 2008 and was formerly the headquarters of fighter command during the Battle of Britain. It is situated on the northern fringe of the London Borough of Harrow on the Harrow Weald Ridge. The site is bounded to the north by Bushey Heath, Stanmore to the south and lies in-between Stanmore and Harrow Weald Commons. The main access to the site is taken from The Common.

6 The entire site comprises 22.9ha of previously-developed land and buildings and is designated as a Major Developed Site within the Metropolitan Green Belt according to Harrow UDP 2004. The site is also a Grade II Registered Historic Park and Garden.

7 The application site in discussion amounts to 20.24ha and includes former RAF buildings, areas of hard standing/parking and areas of private open space. Following the grant of full planning permission P/1452/08CFU in 2010 and the applicant's purchase of Bentley Priory, the Grade II* Listed Mansion House, Building 7 and associated external areas were sold to City & County Group and are therefore not included in this application.

8 The site is characterised by a mixture of open green spaces, mature vegetation and small scale operational buildings to the North. The majority of existing development is situated within a central belt running east to west across the site and includes a mixture of styles and heights, ranging from the listed Mansion House and adjoining buildings to more modern functional RAF buildings of two to three storeys. To the south of the Mansion House lies more mature and denser vegetation, open grassed areas and the formal Italianate Gardens.

Details of the proposal

9 The application proposes the change of use from a defence establishment to provide 93 dwellings with ancillary buildings, concierge building and security gates, refuse/cycle stores, associated landscaping, car parking, improved means of access to the common and demolition of listed buildings.

10 The application represents amendments to the scheme that was considered by the Mayor on 9 October 2008 (GLA report reference PDU/2099/02) and was subsequently granted full

planning permission and listed building consent on 16 September 2010 (Ref: P/1452/08CFU and P/1453/08LBC). The proposed amendments comprise the addition of four additional residential units, the removal of the energy centre, the addition of single storey concierge building and security gates with a new lay by, additional parking spaces, re-siting of refuse/cycle stores and alterations to the elevations of the proposed dwellings.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- Green Belt *London Plan; PPG2*
- Heritage *London Plan; PPS5*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft*
- Climate Change *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13;*

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2004 Harrow Unitary Development Plan saved policies and the London Plan (2011).

13 The following are also relevant material considerations:

- The Submission Harrow Core Strategy and Development Management Policies DPD (consultation draft) and Draft Site Allocations DPD.

Principle of development

14 As discussed in paragraph 10 above, the Mayor considered application P/1452/08CFU on 8 October 2011 (GLA report reference PDU/2099/02) and decided that the proposed redevelopment of this Major Developed Site was acceptable in strategic planning terms. Harrow Council subsequently granted planning permission on 16 September 2010. This extant permission establishes a benchmark for the principle of acceptable development at this site, however, officers must now assess whether the proposed amendments discussed in paragraph 10 would be acceptable in strategic planning terms.

Green Belt

15 London Plan Policy 7.16 states that *"the strongest protection should be given to London's Green Belt, in accordance with PPG2. Inappropriate development should be refused, except in very special circumstances."*

16 Harrow Council's 2004 Unitary Development Plan saved policies designates RAF Bentley Priory as a Major Developed Site in the Green Belt. National government guidance in 'Planning Policy Guidance 2: Green Belts' (PPG2) and London Plan Policy 7.16 that seek to protect London's Green Belt are therefore relevant.

17 PPG2 states that development in the Green Belt is, by definition, harmful and the construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and recreation; for cemeteries; and for other uses of land, which preserve the openness of the Green Belt
- limited extension, alteration or replacement of existing dwellings,
- limited infilling in existing villages
- limited infilling or redevelopment of major existing developed sites identified in adopted development plans, which meet the criteria in Annex C of PPG2.

18 Annex C of PPG2, which is relevant to the proposal, refers to Major Developed Sites in the Green Belt and paragraph C2 states that *"if a major developed site is specifically identified for the purposes of this Annex in an adopted local plan or UDP, infilling or redevelopment which meets the criteria in paragraph C3 or C4 is not inappropriate development."* Therefore in such circumstances that the criteria are met, it is not necessary to establish very special circumstances.

19 As the application is seeking the redevelopment of a designated Major Developed Site in the green belt it is subject to the provisions of paragraph 4, Annex C of PPG2. This provides that redevelopment meeting the following criteria is not considered inappropriate:

- it has no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it and where possible have less
- contribute to the objectives for use of land in the Green Belts
- not exceed the height of existing buildings
- not occupy a larger area of the site than the existing buildings

20 Whilst the revised scheme represents a minor increase in building footprint over the extant permission (+ 476 sq.m), when including the approved footprint of the City and Country Group owned land, the proposal still represents a reduced footprint of 12,611sq.m, compared to that of the existing development at the Major Developed Site (12,640sq.m). Officer's note that the height of the proposed buildings will not exceed the height of those existing and that the new units are situated in areas where development was previously approved and in general accordance with the Bentley Priory SPD 2007.

21 The revised scheme does however introduce new built elements that are widely dispersed across the site and would effectively result in infilling of development approved under the extant permission. It is therefore necessary to consider whether the development would have an impact on openness when compared to the existing development. This is particularly relevant in light of the addition of the single-storey detached garage and concierge building to the south of the Gatehouse dwelling at Plot 2.1 and the spreading of building footprint to accommodate the additional two additional units in the Courtyard North block in Area 3 and two additional units in

Area 4. As stated in paragraph 6 of Annex C, the character and dispersal of the proposed development will need to be considered as well as its footprint.

22 Officers note that the energy centre block, approved as part of the extant permission, would be removed as part of these proposals. This would help to enhance the openness of green belt immediately east of the Bentley Priory mansion building within area four. As discussed in paragraphs 39 and 43, officers accept that a site-wide energy network, supported by an energy centre, does not represent the most efficient means of supplying heat to dwellings within the development. The proposal to remove this block is, therefore, supported.

23 Officers do, however, have concerns with regard to the potential impact of the proposal to introduce additional residential units to the blocks in area three and area four. In both cases the proposal would result in the elongation of residential blocks in order to accommodate the additional units. This infill would increase the density of development in these areas, along with the sense of enclosure, which, in turn, would have a negative impact on the openness of Green Belt in these areas when considered against the extant permission.

24 The proposed introduction of the gatehouse concierge block and garage block within area one also raises some concern. These blocks would be visible from The Common (A4140), and their impact on Green Belt would likely be compounded through the proposed loss of a number of trees which currently line the main access to the site and currently provide considerable screening.

25 On the basis of the plans and illustrative information provided it has not been possible for officers to fully assess the impact of these proposals, or indeed to allay the above concerns. The applicant is, therefore, requested to provide details of the built footprint, broken down by site area, as per the existing situation, as per the extant permission, and as now proposed. Where possible the applicant should also seek to provide visual representations (for example by way of illustration or three-dimensional block modelling) of the proposal against the existing situation at the site. Visual representations are sought only for the three specific parts of the site described in paragraphs 23 and 24 above.

26 Until this information is received officers are unable to fully assess the proposal against the principles of PPG2, or, therefore, to determine acceptability with respect to London Plan Policy 7.16.

Heritage

27 The application site is designated as a Grade II Registered Historic Park and Garden and in the setting of the Grade II* listed Mansion House, which does not fall within the revised application boundary. Planning Policy Statement 5: Planning for the Historic Environment sets out the national planning policies on the conservation of the historic environment and London Plan Policies 7.8 and 7.9 which both consider London's heritage assets and heritage-led regeneration are therefore relevant.

28 National Policy HE8.1 states that "*the effect of an application on the significance of such a heritage asset is a material consideration in determining the application*" and Policy HE9.1 states that "*significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.*" This must be considered in light of the additional proposed units and buildings. London Plan Policy 7.8 reinforces these views stating that "*development affecting heritage assets and their surroundings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*"

29 For the reasons explained above in paragraph 22 and 23 officers are concerned that the potential for the proposals to have an adverse impact on the openness of the Green Belt, may also represent the potential for a negative impact on the significance of the Registered Historic Park and Gardens. Therefore, until the information requested above in paragraph 25 is received officers are unable to fully assess the proposal against the principles of PPS5, or, therefore, to determine acceptability with respect to London Plan Policies 7.8 and 7.9.

Housing

Affordable housing

30 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3.8 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3.12 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

31 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified

32 Where borough councils have not yet set overall targets as required by Policy 3.11, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination.

33 *Officers note that the planning obligations agreed for the extant permission P/1452/08/CFU secured a £1 million contribution towards off site affordable housing to 'lever in' additional funding and enable the provision of 20 affordable units. It is understood that this contribution represented the maximum reasonable amount on the grounds of viability which was demonstrated by a development control toolkit and verified by an independent assessment commissioned by Harrow Council.*

34 Whilst the applicant does not envisage the need to revisit the agreed planning obligations, in order to comply with London Plan Policy 3.12 officers note that the provision of four additional residential units proposed as part of the revised scheme require that the contribution to affordable housing be reassessed to reflect the uplift in private residential housing proposed.

Housing Standards

35 Policy 3.5 within the London Plan seeks to ensure housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. Table 3.3, which supports this policy, sets out minimum space standards for dwellings. The Housing SPG (EiP draft) and London Housing Design Guide (interim edition) build on this approach and provide further detailed guidance on key residential design standards.

36 On the basis of the material provided officers are satisfied that the additional residential units proposed would comply with London Plan minimum space standards, and accord with the aspirations of the London Housing Design Guide. The application therefore accords with London Plan Policy 3.5.

37 London Plan Policy 3.8 expects 10% of all new housing to be wheelchair accessible or easily adaptable for wheelchair users, and 100% of units to meet Lifetime Homes standards. The applicant has indicated a commitment to meet these requirements. This is supported and these standards should be secured by way of planning condition to ensure accordance with London Plan Policy 3.8.

Energy

38 The London Plan climate change policies as set out in chapter 5 collectively require developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise carbon dioxide emissions. London Plan Policy 5.2 sets out an energy hierarchy for assessing applications, London Plan Policy 5.3 ensures future developments meet the highest standards of sustainable design and construction, and London Plan policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

39 Officers note that the revised application no longer proposes a central site energy centre, and a revised energy strategy has been submitted. The applicant has broadly followed the energy hierarchy and sufficient information has been provided to understand the proposals as a whole. However, as set out in the sections which follow, further revisions and information is required before the proposals can be considered acceptable, and the carbon dioxide savings can be verified.

Energy efficiency standards:

40 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. For the new build elements, both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery and energy efficient lighting. Based on the information provided, the new build elements of the proposed development do not appear to achieve any carbon savings from energy efficiency alone compared to a 2010 Building Regulations compliant development.

41 Using 2010 Building Regulations compliance software, the applicant should model, and commit to, additional measures that can be adopted to enable the new build parts of the development to exceed 2010 Building Regulations compliance through energy efficiency alone in accordance with the aspirations of London Plan Policy 5.2.

Decentralised energy networks

42 The development is surrounded by low density development. Officers accept, therefore, that there is little potential for the proposal to connect into an external district heating network.

43 Instead it is proposed that the individual houses will be served by their own heating plants. Given the heat distribution losses associated with supplying heat to individual houses, it is accepted that the houses will not be served by a heat network.

44 The new flatted units will be served by communal heating. This approach is supported in principle, however, the applicant should provide further details on the nature of the communal heating system within the apartment blocks, e.g. will there be a single communal network or two separate space heating and domestic hot water circuits.

Combined Heat and Power

45 London Plan Policy 5.6 requires development proposals should evaluate the feasibility of combined heat and power (CHP) systems. In this case, given the type and relatively small scale of the development, the applicant is not proposing to use CHP. Officers are content that this is acceptable.

Cooling

46 The applicant should provide information on the proposed passive design features which will be used to avoid the need for active cooling, so that officers may assess these proposals in accordance with London Plan Policy 5.3.

Renewable energy technologies

47 London Plan Policy 5.7 seeks to increase the proportion of energy generated from renewable sources. In this case the applicant is proposing to use ground source heat pumps (GSHP), feeding into the communal heating system, to provide part of the heat for the apartment blocks. Officers also note that the individual houses will be fitted with biomass stoves to provide a proportion of their heating requirements from renewable heat. Whilst these approaches are supported in principle the applicant should provide further information on how the GSHP will be integrated with the communal heating system. An estimate of the annual regulated carbon dioxide emissions savings from renewable energy should also be provided.

Energy strategy overview

48 The estimated carbon emissions of the whole development are 336 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures and renewable energy has been taken into account. For the new build elements, the applicant should provide an estimate of the annual reduction in carbon dioxide emissions, expressed in tonnes of carbon dioxide per annum, and percentages, relative to a 2010 Building Regulations compliant development.

Transport

49 Transport for London (TfL) is satisfied that the proposal would not raise any strategic transport issues which have not already been considered by the Mayor as part of the extant planning permission at the site (GLA report reference: PDU/2099/02). However, TfL requests that all transport-related planning conditions and/or obligations, secured as part of the extant permission, be retained for this application.

Local planning authority's position

50 Is unknown at the time of writing this report.

Legal considerations

51 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

52 There are no financial considerations at this stage.

Conclusion

53 London Plan policies on Green Belt, Heritage, Affordable Housing, Climate Change and Transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Green Belt:** The proposal to redevelop the Major Developed Site in the Green Belt is deemed appropriate in strategic planning policy terms as of the extant permission. However, sufficient information to fully understand the potential impact on the openness of the Green Belt has not been provided and therefore cannot determine acceptability with London Plan Policy 7.16.
- **Heritage:** Sufficient information regarding the potential for a negative impact on the registered Historic Park and Garden has not been submitted and therefore cannot determine acceptability with London Plan Policy 7.8 and 7.9.
- **Affordable Housing:** The contribution to off-site affordable housing should be reconsidered in light of the proposed uplift in private residential units to secure compliance with London Plan Policy 3.12.
- **Climate Change:** Further information is required before the proposals can be considered acceptable in London Plan Policy terms.
- **Housing (standards):** The additional residential units proposed comply with London Plan minimum space standards, and accord with the aspirations of the London Housing Design Guide. In this respect the application accords with London Plan Policy 3.5.
- **Transport :** No strategic concern

54 On balance, the application does not comply with the London Plan.

55 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Green Belt:** Further information is requested to provide details of the built footprint, broken down by site area, as per the existing situation, as per the extant permission, and as

now proposed. Where possible the applicant should also seek to provide visual representations of the proposal against the existing situation at the site.

- **Heritage:** Further information is requested as per above, to fully understand the developments impact on the registered Historic Park and Garden.
- **Affordable Housing:** The contribution to off-site affordable housing should be reconsidered in light of the proposed uplift in private residential units.
- **Climate Change:** The applicant should consider the matters identified in this report; providing further information regarding the nature of the communal heating system in the new apartment blocks and the integration of the GSHP and the proposed passive design features to reduce the need for cooling. The applicant should also verify the overall carbon dioxide savings relative to a 2010 Building Regulations compliant development.

for further information, contact Planning Decisions Unit:

Colin Wilson, Senior Manager – Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development Decisions)

020 7983 4895 email justin.carr@london.gov.uk

Jonathan Finch, Case Officer

020 7983 4799 email jonathan.finch@london.gov.uk
