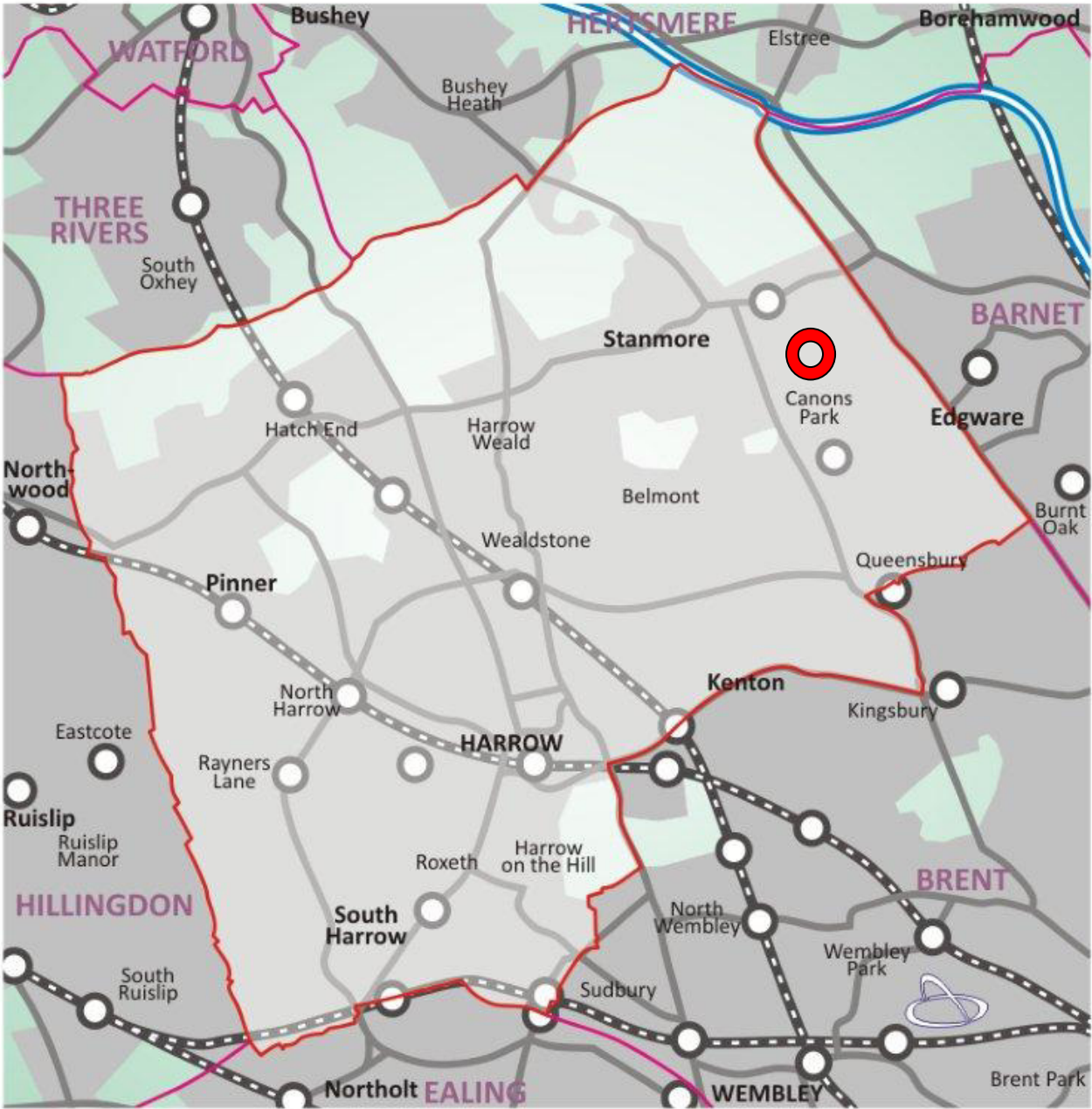
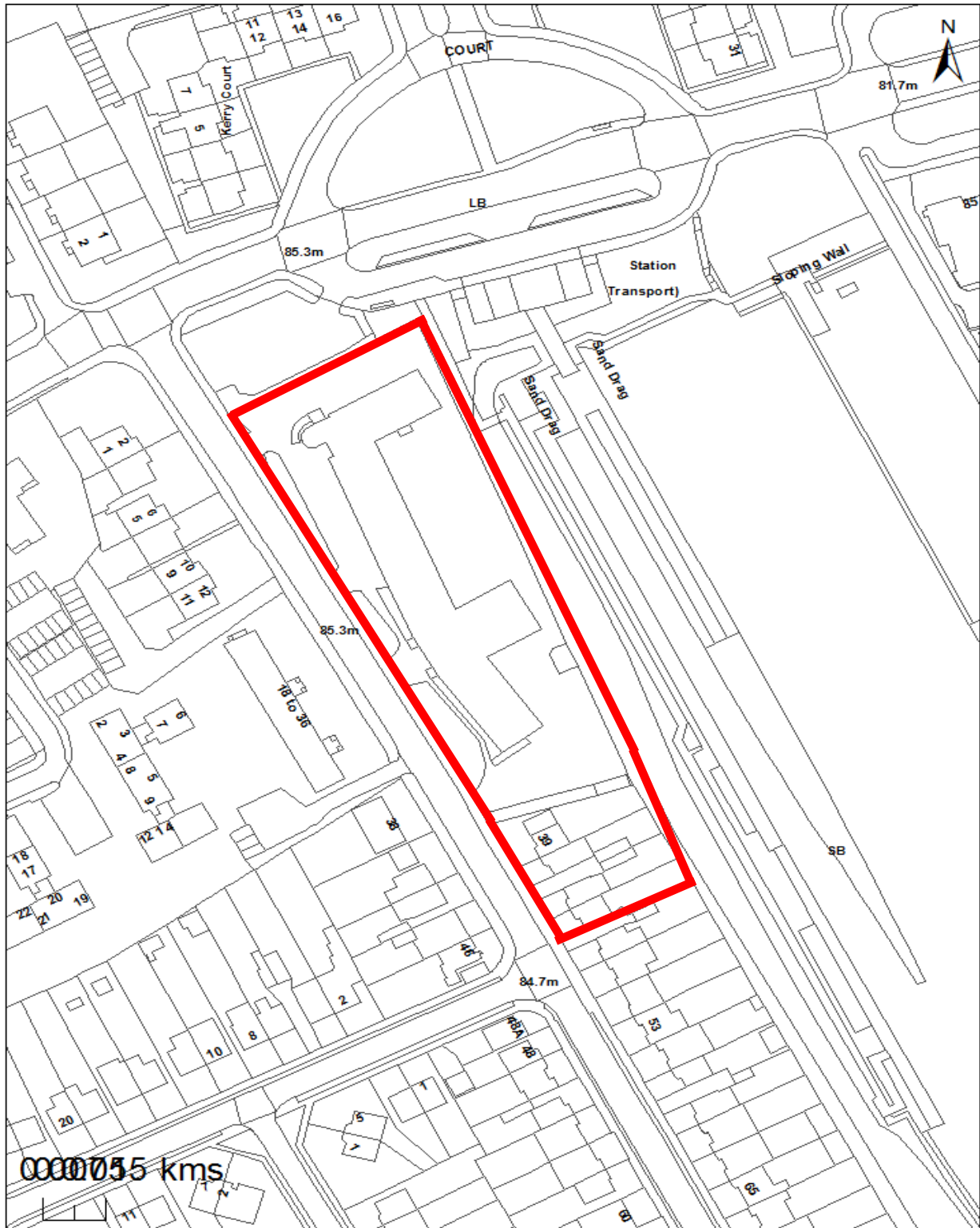


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| Jubilee House, Merrion Avenue, Stanmore | P/1320/16 |
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Jubilee House, Merrion Avenue, Stanmore **P/1320/16**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

18th January 2017

Application Number: P/1320/16
Validate Date: 1st April 2016
Location: Jubilee House, Merrion Avenue, Stanmore
Ward: Canons
Postcode: HA7 4RS
Applicant: Elysian Stanmore Site Limited
Agent: DP9
Case Officer: Nicola Rankin
Expiry Date: 1st July 2016 (Statutory) Application subject to PPA

PURPOSE OF REPORT/PROPOSAL

The Planning Committee determined to defer the decision for the application P/1320/16 for planning permission relating to the Jubilee House, Merrion Avenue, Stanmore on the 16th November 2016.

This report is supplemental to the report considered by the Planning Committee on 16th November 2016 which sets out the detailed Officer recommendations to The Planning Committee regarding an application for planning permission relating to the following proposal:

Demolition of existing office building and two pairs of (four) semi-detached houses and comprehensive redevelopment of the site to provide a mixed use development of 102 residential assisted/independent living units (Class C2) within a building of five to eight storeys and 70 residential units (Class C3) within a building of three to six storeys; with associated landscaping, basement and surface level parking; new vehicle access from Merrion Avenue

This supplementary report provides additional information and clarification provided by the applicant in relation to the grounds for deferral and sets out officers recommendations to the Planning Committee.

RECOMMENDATION

The Planning Committee is asked to:

- agree the reasons for approval and the conditions as set out in this report in appendix 1; and
- refer this application to the Mayor of London (the GLA) as a Stage 2 referral; and

- subject to the Mayor of London (or delegated authorised officer) advising that he is content to allow the Council to determine the application and does not wish to direct refusal, or to issue a direction under Article 7 that he does not wish to direct refusal, or to issue a direction under Article 7 that he is to act as the local planning authority for the purposes of determining the application, delegate authority to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the continued negotiation and completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

Affordable Housing and Wheelchair Homes

- A minimum of 11 homes within the C3 residential building (15%) to be provided as affordable homes (affordable intermediate units) in accordance with a schedule of accommodation to be approved in writing by the Council prior to the commencement of development or a commuted sum (equivalent to 15% of the C3 residential unit) towards off site provision; and
- 10% of affordable homes to be constructed as wheelchair homes.
- A review mechanism (to be agreed) to enable the financial viability of the development to be re-appraised at an appropriate time point (or points) during the course of the development to enable any additional affordable homes to be provided on-site, in the first instance, otherwise as a cash in-lieu sum for off-site provision if justified.

Class C2 Occupation Restrictions

- All persons aged 65 and over
- Potential residents must undergo and pass a professional care assessment carried out by an appropriately qualified professional.
- All residents within the Class C2 block must sign up to a minimum of four hours care per week

Public Art

- The developer shall deliver a piece of public art (up to the cost of £50, 000) first approved by the Council on the site by (date to be confirmed) or pay a financial contribution of 50,000 to the Council to fund delivery of public art in the Council's borough.

Transport and Highways

- The developer to enter into a section 278 agreement to carry out alterations to the vehicle access points along Merrion Avenue and for the reduction of the two shared used parking bays. The developer to make good any alterations to the land on the highway.
- The developer to make a financial contribution to provide for the installation of a no loading restriction sign on the Highway.
- The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material makes reference to the fact that; and (ii) all sales and lettings agreements contain a covenant to the effect that; future owners, occupiers and tenants (other than those that are registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit.

- A revised Travel Plan to be submitted to the Council prior to the first occupation of the building.
- A travel plan bond of £10,000 will be required to secure the implementation of all measures specified in the revised TP. In addition a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.
- The developer to make practical space available on the site to accommodate a minimum of one parking space for a car club vehicle. The developer to make reasonable endeavours throughout the life of the development to secure a car-club operator to provide a vehicle for that space. The car club bay should accommodate electric charging for electric/hybrid vehicles.

Employment and Training

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan.
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- In the event that that the developer is unable to provide an employment and training plan to the satisfaction of the Council's Economic Development Department, a financial contribution of £231,000 to be paid by the developer to fund local employment and training programmes.

Decentralised Energy Networks

- The developer to use all reasonable endeavours to agree terms pursuant to a connection between the site-wide CHP system and any existing or future decentralised energy network. Details to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development.
- The developer to safeguard a route to be agreed with the Council to enable a connection to any existing or future district decentralised energy network.

Sustainability

- A financial contribution of £24,120 towards off site carbon dioxide reductions.

Car Parking

- Up to but no more than 30 car parking spaces to be sold independently of the C3 units
- The submission and implementation of a Car Park Management Plan prior to the occupation of the development. The details shall include that no vehicle associated with the development will park on the surrounding roads including residents, guests and staff on football match days when Tottenham Hotspurs are operating from Wembley Stadium. In addition, the plan shall: identify the electric vehicle charging point spaces that are to be provided within the basement car park as 'active' spaces and those as 'passive' spaces; detail the allocation of a disabled person's parking space within the basement car park to each wheelchair home within the development; detail the allocation of general parking spaces within the development; detail the management of general vehicle access across the site and detail the provision of cycle parking for residents/staff/visitors to the development. The development shall be carried out in accordance with the plan so agreed and shall be retained as such thereafter.

Legal Costs, Administration and Monitoring

- A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.
- Monitoring is equivalent to 5% of the overall financial contribution.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 20th March 2018, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2012), policies 3.11, 3.13, 5.2, 6.3, 6.9, 6.10, 7.4, 7.5 and 7.6 of The London Plan (2016), Core Strategy (2012) policy CS1 and policies DM 1, DM 2, DM 12, DM 42, DM 43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations (2013).

REASON FOR THE RECOMMENDATIONS

INFORMATION

This application is reported to the Committee as the application is for a major development and the number of residential units and floorspace proposed falls outside of the thresholds (six units and 400 square metres respectively) set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

| | |
|---------------------------------------------------------------------|-------------------|
| Statutory Return Type: | Major Development |
| Council Interest: | None |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £636, 475 |
| Local CIL requirement: | £1, 285, 350 |

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

ADDITIONAL INFORMATION

1.0 ADDITIONAL INFORMATION

1.1 The application was considered at the Planning Committee on the 16th November 2016. The Planning Committee determined that the decision on the application be deferred based on the following grounds:

1. *“There is an issue regarding the topography of the site and that the developer has not taken into account that the site slopes down resulting in a flaw in the development design which makes it more intrusive to neighbouring occupiers. The applicant is requested to re-consider the development design to overcome this; and*
2. *There are local highway traffic and parking problems due to the occupancy of Wembley Stadium by Tottenham Hotspurs football team. The applicant should carry out a parking review in conjunction with the Council's Highways Officers and consider parking and traffic conditions on match days in respect of the development.”*

1.2 In addition to the comments made in respect of site levels, a member of the Committee was concerned that views of the building from the Kerry Avenue Conservation Area would be detrimental to the area and as a result the building should be reduced in height.

1.3 In response, the applicant has provided additional supporting information including a design addendum (titled Planning Response, dated 14th December 2016) and revised planning drawings to address comments and concerns raised by member on the original proposal.

1.4 The site levels have been reviewed and it is confirmed that there is 0.7m increase in height from south to north which is over a significant distance of approximately 165m. The supporting information demonstrates that there is no significant level change in respect of the relationship between the C3 building and the neighbouring houses to the south. As such, through the 165m of Merrion Avenue in front of the site, the slope is effectively flat, being 0.7m of equivalent to a gradient of approximately 1 in 240. The marked change in incline occurs to the north of the site towards Kerry Avenue with a 10.1m change in level, which means the subject site and development sit much lower than the area to the north, and the comparative slope of the site is 7% of the slope along the same length of Kerry Avenue.

1.5 In order to address the concerns raised in relation to site levels and impact on views from within the Conservation Area, the applicant proposes to

remove the 7th floor of the proposed C2 northern residential block. Officers consider that this reduces the overall height of the development and represents a positive response to the discussion at the planning committee. This amendment results in the loss of a 230m² (GIA) of floor area and a two bedroom C2 unit.

- 1.6 Additional revised images have been submitted from the Kerry Avenue Viewpoint both from the higher part of the slope and the lower part of Kerry Avenue. In officer opinion, the removal of the 7th floor would have notable reduction in the perceived scale of the building when viewed from the higher parts of the Conservation Area relative to the application site. Views from the lower part of the slope would continue to be fairly well screened by trees and vegetation.
- 1.7 As previously outlined Officers considered that the impact on the adjacent heritage assets (including locally listed Stanmore Station) to be acceptable. In officer opinion, it was outlined that where views of the building would be visible from the conservation area, it would enhance its setting, due to the high quality architecture, which appropriately echoes much of the modernist architecture of the conservation area. Officers consider that the reduction in building height would further reduce the impacts of the proposal on the Kerry Avenue Conservation Area.
- 1.8 As noted in the Design Addendum Document, the proposed development will result in a 50% reduction in vehicle movements to and from the site and would have a beneficial impact upon local parking and highways conditions. The current impact of the existing building will be lessened as a result of office tenants and guests not using parking bays in front of the building, a reduction in vehicle movements due to the average of 4 trips per day per car parked amongst the 138 car parking spaces and a loss of overall car parking spaces.
- 1.9 Empirical surveys have identified that a reduction of two on street car parking spaces is more than offset by the removal of the parking demand from the existing office. Furthermore, the proposed development will not add to on street parking stress as residents will not be eligible to apply for parking permits and this would be secured as part of the section 106 agreement.
- 1.10 Notably a significant proportion of the residents for the new development will be elderly with the anticipated age profile to be 80 years. It is likely that the elderly residents will not drive as much compared to the current occupants of the site and many will not use a car to take advantage of the local public transport links, alongside the proposed min bus and car club.
- 1.11 In order to mitigate impacts of event day parking stress, including football matches by Tottenham Hotspurs, the applicant proposes to covenant that no vehicle associated with the development will parking on the surrounding roads including residents, gusts and staff. The final details of this can be secured within the section 106 as part of a Car Park Management Plan.

Members of the public would not be allowed to park within the development and the applicant also commits that no members of the public would be able to park within the site on match days. This can also be detailed in the Car Park Management Plan secured as part of the section 106 agreement.

1.12 Sustainable travel and support of low car ownership lifestyles will be supported and monitored by the travel plan. The commitment to securing an effective travel plan can be ensured by provision of monies for a bond and monitoring fee within the section 106 agreement.

1.13 As outlined above, the proposed removal of the 7th floor would result in the loss of a C2 unit. Notwithstanding this, the applicant remains committed to an affordable housing offer comprising of:

“A minimum of 11 homes within the C3 residential building (15%) to be provided as affordable homes (affordable intermediate units) in accordance with a schedule of accommodation to be approved in writing by the Council prior to the commencement of development or a commuted sum (equivalent to 15% of the C3 residential unit) towards off site provision; and

A review mechanism (to be agreed) to enable the financial viability of the development to be re-appraised at an appropriate time point (or points) during the course of the development to enable any additional affordable homes to be provided on-site, in the first instance, otherwise as a cash in-lieu sum for off-site provision if justified”

1.14 For clarity the previously proposed option for affordable housing (10%) and provision of a lift at Stanmore London Underground station (up to the cost of £1.5 million) is no longer an offer. Following comments by Members at the November Committee, the proposal now seeks to maximise the proposed affordable housing offer, in line with both Member and Officer priorities for the area. The option of a lift at Stanmore Station option is no longer being pursued.

1.15 Members are advised that as the Car Park Management Plan could be secured as part of the section 106 agreement, condition 28 can be omitted, should approval be granted.

1.16 It is recommended that condition 2 (Approved Plans and documents) be revised as set out below to enable an updated plan and document list which reflect the proposed changes to be secured, should approval be granted.

Revised Plans Nos: P0-009 Rev PA; P0-001 Rev PA; P0-001 Rev PA; P0-002 Rev PA; P0-003 Rev PA; P0-004 Rev PA; P0-005 Rev PA; P0-006 Rev PA; P0-007 Rev PA; P0-008 Rev PA; P0-010 Rev PC; P0-011 Rev PB; P0-012 Rev PB; P0-013 Rev PB; P0-013 Rev PC; P0-014 Rev PC; 553.D.01; P1-099 Rev PC; P1-100 Rev PB; P1-101 Rev PB; P1-102 Rev PB; P1-103 Rev PB; P1-104 Rev PB; P1-105 Rev PB; P1-106 Rev PB; P1-106 Rev PB; P1-AB-099 Rev PD; P1-AB-100 Rev PD; P1-AB-101 Rev PD; P1-AB-102 Rev PD; P1-AB-103 Rev PD; P1-AB-104 Rev PD; P1-AB-105 Rev PD; P1-AB-106 Rev PD; P1-AB-108 Rev PD; P1-AB-110 Rev PE; P1-AB-111 Rev PE;

P1-AB-112 Rev PE; P1-AB-113 Rev PE; P1-AB-114 Rev PC; P1-AB-115 Rev PC; P1-AB-116 Rev PC; P1-AB-117 Rev PC; P1-CD-099 Rev PB; P1-CD-100 Rev PD; P1-CD-101 Rev PD; P1-CD-102 Rev PD; P1-CD-103 Rev PD; P1-CD-104 Rev PD; P1-CD-105 Rev PC; P1-CD-106 Rev PC; P1-CD-108 Rev PB; P1-CD-109 Rev PC; P1-CD-111 Rev PB; P1-CD-112 Rev PB; P1-CD-113 Rev PB; P1-AB-120 Rev PB; P1-AB-121 Rev PB; P1-AB-122 Rev PB; P1-AB-123 Rev PB; P1-AB-124 Rev PB; P1-AB-201 Rev PA; P1-AB-202 Rev PB; P1-AB-203 Rev PA ; P1-CD-114 Rev PA; P1-CD-115 Rev PA; P1-CD-116 Rev PA; P1-CD-120 Rev PC; P1-CD-121 Rev PB; SK-105 Rev PA; SK-121 Rev PA; Planning Statement – Revision B; Design and Access Statement – Revision B; Alternative Use Report Prepared by Colliers International (March 2016); Socio-Economic Impacts Statement Prepared by Quod (11 March 2016); Townscape Assessment Prepared By Peter Stewart Consultancy (11 March 2016); Daylight, Sunlight and Overshadowing Report Prepared by Point Two Surveyors (11 March 2016); Transport Statement Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Transport Framework Travel Plan Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Addendum Transport Note Prepared by WSP | Parsons Brinckerhoff Engineering Services (18 August 2016); Energy Strategy – Revision A Prepared by Hoare Lea (August 2016); Sustainability Statement – Revision A Prepared by Hoare Lea (August 2016); Statement of Community Involvement Prepared by Four Communications (11 March 2016); Outline Foul and Surface Water Drainage Strategy Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Waste Management Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Utilities Report Prepared by Hoare Lea (11 March 2016); Construction Environment Management Plan Prepared by Elysian Development Management (11 March 2016); Environmental Risk Assessment Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Outline Arboricultural Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Extended Phase 1 Habitat Survey and Building Inspection for Bats Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Environmental Noise and Vibration Survey Prepared by Hoare Lea Acoustics (11 March 2016); Air Quality Assessment Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Viability Assessment Prepared by DS2 LLP (August 2016); Planning Response (dated 14th December 2016);

Amend condition 2 as follows:

Save where varied by the Planning Response document, dated 14th December 2016, oth planning conditions comprising this permission and unless otherwise agreed in writing l the local planning authority, the development shall be carried out, retained and complete in accordance with the following approved drawings and documents:

P0-009 Rev PA; P0-001 Rev PA; P0-001 Rev PA; P0-002 Rev PA; P0-003 Rev P
P0-004 Rev PA; P0-005 Rev PA; P0-006 Rev PA; P0-007 Rev PA; P0-008 Rev P
P0-010 Rev PC; P0-011 Rev PB; P0-012 Rev PB; P0-013 Rev PB; P0-013 Rev P
P0-014 Rev PC; 553.D.01; P1-099 Rev PC; P1-100 Rev PB; P1-101 Rev PB; P1-102 R
PB; P1-103 Rev PB; P1-104 Rev PB; P1-105 Rev PB; P1-106 Rev PB; P1-106 Rev P
P1-AB-099 Rev PD; P1-AB-100 Rev PD; P1-AB-101 Rev PD; P1-AB-102 Rev P
P1-AB-103 Rev PD; P1-AB-104 Rev PD; P1-AB-105 Rev PD; P1-AB-106 Rev P
P1-AB-108 Rev PD; P1-AB-110 Rev PE; P1-AB-111 Rev PE; P1-AB-112 Rev P
P1-AB-113 Rev PE; P1-AB-114 Rev PC; P1-AB-115 Rev PC; P1-AB-116 Rev P
P1-AB-117 Rev PC; P1-CD-099 Rev PB; P1-CD-100 Rev PD; P1-CD-101 Rev P

P1-CD-102 Rev PD; P1-CD-103 Rev PD; P1-CD-104 Rev PD; P1-CD-105 Rev PD; P1-CD-106 Rev PC; P1-CD-108 Rev PB; P1-CD-109 Rev PC; P1-CD-111 Rev PD; P1-CD-112 Rev PB; P1-CD-113 Rev PB; P1-AB-120 Rev PB; P1-AB-121 Rev PB; P1-AB-122 Rev PB; P1-AB-123 Rev PB; P1-AB-124 Rev PB; P1-AB-201 Rev PA; P1-AB-202 Rev PB; P1-AB-203 Rev PA ; P1-CD-114 Rev PA; P1-CD-115 Rev PA; P1-CD-116 Rev PA; P1-CD-120 Rev PC; P1-CD-121 Rev PB; SK-105 Rev PA; SK-121 Rev PA; Planning Statement – Revision B; Design and Access Statement – Revision B; Alternative Use Report Prepared by Colliers International (March 2016); Socio-Economic Impact Statement Prepared by Quod (11 March 2016); Townscape Assessment Prepared by Peter Stewart Consultancy (11 March 2016); Daylight, Sunlight and Overshadowing Report Prepared by Point Two Surveyors (11 March 2016); Transport Statement Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Transport Framework Travel Plan Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Addendum Transport Note Prepared by WSP | Parsons Brinckerhoff Engineering Services (18 August 2016); Energy Strategy – Revision A Prepared by Hoare Lea (August 2016); Sustainability Statement – Revision A Prepared by Hoare Lea (August 2016); Statement of Community Involvement Prepared by Four Communications (11 March 2016); Outline Foul and Surface Water Drainage Strategy Prepared by WSP | Parsons Brinckerhoff Engineering Services (11 March 2016); Waste Management Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Utilities Report Prepared by Hoare Lea (11 March 2016); Construction Environment Management Plan Prepared by Elysian Development Management (11 March 2016); Environment Risk Assessment Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Outline Arboricultural Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Extended Phase 1 Habitat Survey and Building Inspection for Bannockburn Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Environmental Noise and Vibration Survey Prepared by Hoare Lea Acoustics (11 March 2016); Air Quality Assessment Report Prepared by WSP | Parsons Brinckerhoff Engineering Services (March 2016); Viability Assessment Prepared by DS2 LLP (August 2016); Planning Response (dated 14th December 2016);

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure that the development is carried out to the highest standards of design, architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

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