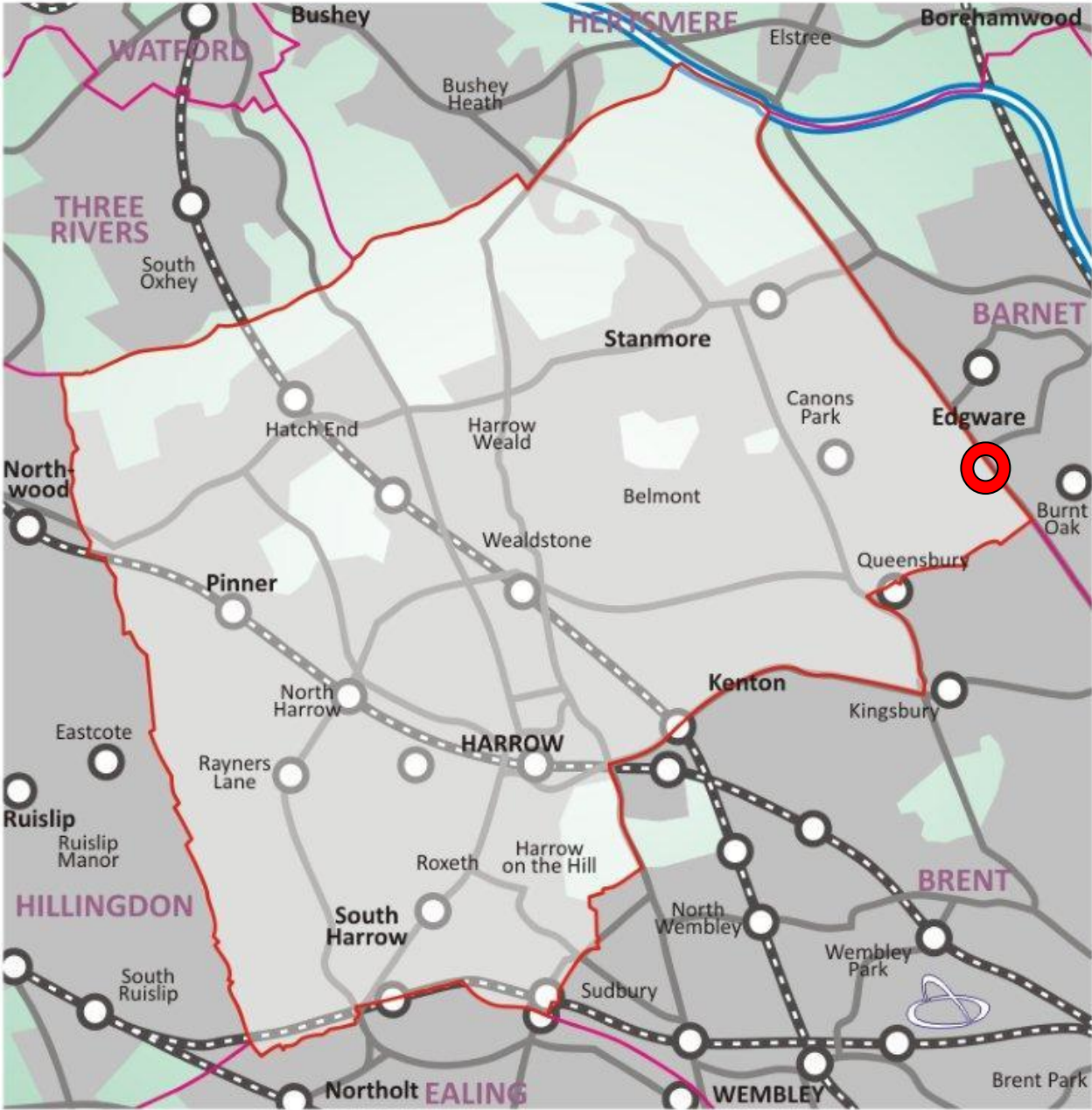


 = application site



Kilby's Industrial Estate & Nos 1-5 Bacon Lane	P/3667/19
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Kilby's Industrial Estate & Nos 1-5 Bacon Lane



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

17th June 2020

APPLICATION NUMBER: P/3667/19
VALID DATE: 13th SEPTEMBER 2019
LOCATION: KILBY'S INDUSTRIAL ESTATE AND NOS. 1-5
BACON LANE
WARD: EDGWARE
POSTCODE: HA8 5AS
APPLICANT: MR POLYCARPOU
AGENT: CG ARCHITECTS
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 28th OCTOBER 2020

PROPOSAL

Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:
 - I. Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism
 - II. Harrow Employment and Training Initiatives: financial contribution towards local training and employment initiatives prior to commencement
 - III. Child Play Space provision contribution
 - IV. Parking permit restriction
 - V. Carbon offsetting contribution
 - VI. External materials strategy
 - VII. Planning Permission monitoring fee

VIII. Legal fees

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 28th October 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:-

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 (2019), Policies 3.6, 3.12, 5.2, 6.3, 6.13 and 8.2 of the London Plan (2016), Policies H4, S4, SI2, T6, T6.1 and DF1 of the draft London Plan (2019) – intend to publish version, Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM50, of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATIONS

The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

INFORMATION

This application is reported to Planning Committee as it would provide the construction of more than three dwellings and therefore falls outside category 1(b) of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Largescale Major Dwelling Development
Council Interest:	n/a
Net Additional Floorspace:	2193m ²
GLA Community	
Infrastructure Levy (CIL):	£131,580
Local CIL requirement:	£347,845

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 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 proposed access does not adversely affect crime risk.

The Site	
Address	Kilby's Industrial Yard and nos. 1-5 Bacon Lane, HA8 5AS
Applicant	Mr Polycarpou
Ward	Edgware
Local Plan allocation	H15 – Hill's Yard Bacon Lane – (28 homes)
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Tree Preservation Order	n/a
Flood Zone	n/a
Other	n/a

Housing		
Density	Proposed Density hr/ha	320
	Proposed Density u/ph	70
	PTAL	2-3
	London Plan Density Range	200-450 hr/ha
Dwelling Mix	Studio (no. / %)	n/a
	1 bed (no. / %)	n/a
	2 bed (no. / %)	n/a
	3 bed (no. / %)	10 (43%)
	4 bed (no. / %)	13 (57%)
	Overall % of Affordable Housing	n/a
	Social Rent (no. / %)	n/a
	Intermediate (no. / %)	n/a
	Private (no. / %)	n/a
	Commuted Sum	n/a
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	23
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	n/a
	No. Proposed Cycle Parking spaces	49

	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	2-3
	Closest Rail Station / Distance (m)	Burnt Oak / 1150m
	Bus Routes	Eight (Routes : 32, 142, 204, 251, 292, 605, 606, 619)
Parking Controls	Controlled Parking Zone?	Yes (Zone X)
	CPZ Hours	10am - 11am & 2pm - 3pm Mon - Fri
	Other on-street controls	Double yellow lines
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Designated refuse store within the forecourt of each dwellinghouse

Sustainability / Energy	
Development complies with Part L 2013?	66% reduction over Part L1 2013

1.0 SITE DESCRIPTION

- 1.1 The application site comprises approximately 0.33ha of vacant land located between the rear gardens of the residential properties along Vancouver Road and The Chase with the access point from Bacon Lane. The land was formerly occupied by B1/B2 lock up garages. In addition, the application site includes three residential properties, nos. 1-5 Bacon Lane.
- 1.2 The surrounding land use is predominantly residential in the form of semi-detached and terraced inter-war housing.
- 1.3 The application site is located within the Policy sub Area of Edgware and Burnt Oak. It is an identified allocated site (H15) for residential development within the Harrow Site Allocations SPD (2013).

2.0 PROPOSAL

- 2.1 The application proposes to demolish the three dwellinghouses and in conjunction with the vacant parcel of land to the south, would provide 23 new dwellinghouses in 3 separate terraced blocks. The existing vehicular access would be retained and would serve as the vehicular and pedestrian access point into the site.
- 2.2 The proposed housing mix would consist of three and four bed dwellinghouses. Each dwellinghouse would benefit from private rear gardens and forecourts. The forecourt would be able to accommodate one off-street parking space and designated cycle and refuse storage.
- 2.3 The subject proposal is similar to that previously granted under planning application P/5810/17. The only notable differences being the removal of one dwellinghouse from that previously approved (i.e from 24 to 23) and minor alterations to the layout of the development to provide three terraced blocks rather than five.

3.0 RELEVANT PLANNING HISTORY

P/5810/17: Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage
Grant: 16/04/2018

4.0 CONSULTATION

- 4.1 A total of 94 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 4th October 2019.
- 4.2 A site notice was placed outside the application site on 3rd October 2019. The application was advertised in the local press on 19th September 2020

- 4.3 One objection letter has been received. A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation
Accommodating the number of residents proposed will create clutter and social provisions not in place; anti-social behaviour will increase
<i>Planning permission was previously granted for 24 new dwellinghouses on the site. The revised proposal would therefore not materially increase the associated clutter or social infrastructure provisions beyond the scheme that was previously approved. The Metropolitan Police Designing Out Crime Officer has raised no objection to the proposal subject to an appropriate condition to ensure the development achieves SbD accreditation;</i>

4.4 Statutory and Non Statutory Consultation

- 4.5 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments
LBH Planning Policy No Objection
LBH Highways The previous requirements will need to be secured again; the s106 parking permit restriction; a minimum of 2 sheltered, secure and accessible cycle parking spaces per dwelling and 20% active plus 20% passive electric vehicle charge points.
LBH Drainage No Objection, subject to conditions
LBH Biodiversity Officer If there are any buildings yet to be demolished these will need to be subject to a fresh preliminary roost assessment. The development would also require appropriate mitigation and biodiversity gain.
LBH Landscape Officer No objections to the proposals and the hard and soft landscape detail would be acceptable
Metropolitan Police Secure by Design No objection, subject to SbD accreditation being conditioned
Thames Water No Objection



5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Housing Supply, Density and Mix
- Affordable Housing
- Design, Character and Appearance
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Landscape and Biodiversity
- Sustainability and Contamination

- Planning Obligations

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8, 3.14, 4.4
- The draft London Plan (2019): H1, H8, E4
- Harrow Core Strategy (2012): CS1, CS8
- Harrow Development Management Policies (2013): DM31
- Site Allocations Local Plan: Site H15

6.2.2 The principle of development has been established in the previously granted planning application. Kilby's Industrial yard is an allocated site for residential development (site H15) within the Site Allocations Local Plan. The incorporation of the dwellinghouses fronting Bacon Lane would serve to facilitate the wider redevelopment of the site. It is considered that the principle of development would therefore be acceptable, subject to further considerations detailed below. The proposal would therefore comply with the relevant policies in this regard.

6.3 Housing Supply, Density and Mix

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8
- The draft London Plan (2019): D3, H1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM24

6.3.2 Within the definitions of the London Plan density matrix, the site is considered to have an 'urban' setting. The proposed density and habitable rooms per hectare fall well within the overall matrix ranges for urban setting. Furthermore, the proposal would provide 23 family sized dwellinghouses that would be appropriate within the context of the location of the site, the character of its surroundings and the optimisation of housing output on previously-development land. The proposal would therefore comply with the relevant policies in this regard.

6.4 Affordable Housing

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.11, 3.12, 3.13
- The draft London Plan (2019): H4, H5, H6
- Harrow Core Strategy (2012): CS1

- 6.4.2 The Council recognises that it may not be viable to provide affordable housing targets within a scheme under all circumstances. Where this cannot be provided on site, a robust viability assessment must be provided to demonstrate that the proposed scheme cannot viably provide this requirement. The application is supported by a financial viability assessment which concludes that it would not be viable for the applicant to provide any affordable housing within the development or make any financial affordable housing contribution to the Council.
- 6.4.3 The submitted Financial Viability Assessment was the subject of independent appraisal by BNP Paribas Real Estate on behalf of the Council. The independent review concluded that the proposed development would generate a surplus and as such, could reasonably provide a financial contribution. The proposed affordable housing contribution of £110,000 would match that which was secured in the previously granted planning application. Officers are therefore satisfied that this would be acceptable in this instance and will be secured by way of a section 106 agreement.
- 6.4.4 Subject to securing the planning obligations, it is considered that the proposal would comply with the relevant policies in this regard.

6.5 Design, Character and Appearance

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.1, 7.3, 7.4, 7.6
- The Draft London Plan (2019): D1, D4,
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM22, DM23

6.5.2 The surrounding land use is characterised by two-storey semi-detached and terraced inter-war residential housing. It is considered that the principle of a contemporary interpretation of suburban post/mid-war terraced housing would be acceptable within this context.

6.5.3 The subject proposal would provide one less dwellinghouse than the previously granted application, to comply with the respective accessible housing standards. As a result, the layout of the proposed development has also been slightly modified. The proposed dwellinghouses would be grouped into three terraced blocks rather than five. The terraced block fronting Bacon Lane would comprise of five dwellinghouses. The other two blocks, sited parallel to The Chase and Vancouver Road, would comprise of 9 dwellinghouses each. Officers consider that the layout of the proposed development would be acceptable.

6.5.4 The design of the proposed terraced dwellinghouses would be similar to those previously approved. The proposed dwellinghouses would be two-storey with habitable accommodation within the roof. The proposed terraced houses fronting Bacon Lane would feature front dormers, while the dwellinghouses within the other two terraced blocks would feature both front and rear dormers. Officers consider that the massing and form of the proposed dwellinghouses would be

consistent with the scale of housing in the surrounding area and would therefore be acceptable in this regard.

6.5.5 The application was referred to the Council's Landscape Officer who has advised that the hard and soft landscaping detail would be acceptable.

6.5.6 Subject to conditions to safeguard the quality of the proposed development, external finishing and landscaping, officers consider that the proposed development would be consistent with the principles of good design. The proposal would therefore comply with the relevant policies in this regard.

6.6 Residential Amenity

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2, 7.6,
- The Draft London Plan (2019): D4, D5, D6, D7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM2, DM27, DM28
- Mayor's Housing SPG (2016)

Neighbouring Occupiers

6.6.2 The two terraced blocks within the former Kilby's industrial estate would be sited parallel to the neighbouring adjacent properties within The Chase and Vancouver Road. The front elevation of the proposed terraced dwellinghouses would be located approximately 27m from the respective rear elevations of the neighbouring properties fronting Vancouver Road. A separation distance of approximately 21m would be retained between the rear elevations of the proposed dwellinghouses and the respective rear elevations of the neighbouring properties fronting The Chase.

6.6.3 On this basis, officers consider that the proposed dwellinghouses would not have a detrimental impact on the residential amenities of those adjoining occupiers by reason of undue overshadowing, loss of light or loss of outlook. While the proposed terraced dwellinghouses would allow for an outlook over the respective rear gardens of the adjoining dwellinghouses, given the separation distances afforded, orientation and site context, officers consider that the resulting privacy impacts would be mutually acceptable and commensurate with the established privacy relationships prevalent within this suburban location.

6.6.4 The proposed end of terrace dwellinghouse sited adjacent to no. 7 Bacon Lane would be positioned approximately 1m closer to the flank elevation of that neighbouring property. As a result of the siting and form of the proposed dwellinghouse, the proposed end of terrace dwellinghouse would impact upon the light and outlook from the ground floor flank window of that neighbouring property. However, the submitted daylight and sunlight assessment confirms that the respective window would still receive an acceptable amount of sunlight in line

with BRE guidelines. On this basis, it is considered that the proposed development would not have a detrimental impact on the residential amenities of the occupiers at no. 7 Bacon Lane.

- 6.6.5 For these reasons, the proposal would comply with the relevant policy requirements regarding residential amenity of neighbouring occupiers.

Future Occupiers

- 6.6.6 The proposed terraced dwellinghouses would comply with the minimum space standards and would benefit from private rear gardens, thereby providing the appropriate quantum of private amenity space for the future occupiers. The proposed dwellinghouses would be dual aspect and would therefore benefit from acceptable levels of light and outlook. Officers consider that the proposed dwellinghouses would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

6.7 Traffic and Parking

- 6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44

- 6.7.2 The subject site has a PTAL 2-3 and therefore benefits from moderate accessibility to sustainable transport modes. The proposal would make provision for 23 parking spaces at a ratio of 1 parking space per dwellinghouse. The proposed quantum of parking spaces would be compliant with the maximum standards set out in the London Plan. A condition is attached to ensure the provision of 20% active plus 20% passive electrical vehicle charge points. Furthermore, in order to avoid the possibility of overspill parking taking place within the surrounding roads and to ensure that no additional parking stress is placed on the public highway following the development, the Council's Highways Department have requested a planning obligation to restrict the future occupiers of the development from applying for on-street resident parking permits.

- 6.7.3 In relation to cycle parking, a minimum of 2 sheltered, secure and accessible cycle parking spaces would be required per dwelling. It is noted that space would be provided within the forecourt to accommodate two cycle spaces. A pre-occupation condition is attached to ensure that the proposed cycle parking spaces would be sheltered and secure.

- 6.7.4 Subject to conditions and securing the permit restriction through a planning obligation, the Council's Highways Department raise no objection to the proposals. On this basis, it is considered that the development would not have a detrimental impact on the safety and functioning of the highway and would not

result in undue parking stress within the locality. The proposal would therefore comply with the relevant policies in this regard.

6.8 Flood Risk and Drainage

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13, 5.14
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.8.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informatives. The proposal would therefore comply with the relevant policies in this regard.

6.9 Biodiversity

6.9.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Draft London Plan (2019): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21

6.9.2 An Extended Phase 1 habitat survey was submitted with the application which notes that habitats on the site are considered to be of some potential ecological value and the presence of protected species is probable. The Council's Biodiversity Officer has advised that for the buildings which have not been demolished, a fresh preliminary roost assessment is required. This is currently being undertaken by the applicant. Subject to the outcomes of this assessment, further mitigation may be required. The development would also require appropriate biodiversity gain. The outcomes of the preliminary roost assessment and the subsequent appraisal will be reported to the Planning Committee in the addendum.

6.10 Sustainability and Contamination

6.10.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.2, 5.3, 5.7, 5.21, 7.14,
- The Draft London Plan (2019): SI1, SI2, SI3,
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM12, DM14, DM15

- 6.10.2 An Energy and Sustainability Statement has been submitted with the application. This details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions on site.
- 6.10.3 The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. These measures would correspond to a 66.3% reduction in CO₂ emissions. However, there would still be a shortfall in order for the development to achieve the 'zero carbon' requirements. The shortfall would therefore need to be addressed on site or by way of an off-site financial contribution. A planning obligation is therefore included to secure this.
- 6.10.4 The former Kilby's Industrial Yard was primarily used for motor related servicing and repairs. The proposed residential development would see a significant change from the former hard landscaped commercial use to a residential use with areas of soft landscaping. This would be a sensitive end use and there would be a moderate risk to future end users with respect to any former contamination of the land. A planning condition was attached to the previous planning permission requiring further investigation and remediation strategies to be provided. These details were submitted and subsequently discharged under approval of condition application reference P/0471/19. Subject to appropriate safeguarding conditions, it is considered that the proposal would comply with the relevant policies in this regard.

6.11 Planning Obligations

6.11.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 8.2
- The Draft London Plan (2019): DF1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM50

6.11.2 The proposed scheme could reasonably provide a financial contribution of £110,000 which would contribute towards the provision of affordable housing within the borough. This would be secured by the planning obligation. Early and Late review mechanisms to ensure that if there is an improvement in viability, this contributes to the delivery of affordable housing within the Borough

6.11.3 The proposed development would not provide a designated play space for children and there is insufficient space on site to accommodate the required playspace area. A planning obligation will therefore secure monetary contribution towards an off-site provision to improve existing child play facilities within the locality.

6.11.4 To ensure that the proposal would be a 'zero carbon' development, the shortfall in Carbon Dioxide emissions on site would be off-set by a financial contribution

which would secure the delivery of carbon dioxide savings elsewhere in the borough and help towards the Harrow Green Grid.

- 6.11.5 In accordance with Harrow's Planning Obligations SPD, a contribution from the development has been requested to fund local employment and training programmes to optimise the local economic benefits of the construction of the development. It is also requested that the applicant provides a training and recruitment plan and implements it using reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- 6.11.6 To ensure that no additional transport stress is placed on the public highway following the development and to promote sustainable modes of transport, the section 106 will also secure a resident/visitor permit restriction to exclude future occupiers of the development (except for disabled people) from applying for on-street parking permits.
- 6.11.7 The legal costs associated with the preparation of the planning obligation and the Council's administrative costs associated with monitoring compliance with the obligation terms will also be secured

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.
- 7.2 It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development.
- 7.3 Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

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

2. Approved Plans and documents

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

Site Location Plan, 1294/50, 1294/51, 1294/52, 1294/53, 1294/54, 1294/55, 1294/56, 1294/57, 1294/58, 1294/59, 1294/60, 1294/61, 1294/62, 1294/63, 1294/64, 1294/65, LLDD1210-LAN-DWG-100 Rev 04, 1294/71, 1294/72, 1294/73, 1294/73, LLDD1210-LAN-DWG-101 Rev 05, LLDD1210-LAN-DWG-102 Rev 05, LLDD1210-LAN-DWG-200 Rev 03, LLDD1210-LAN-DWG-201 Rev 05, LLDD1210-LAN-DWG-202 Rev 05, Design and access statement, Planning Statement, Energy and Sustainability Assessment, Phase 3 Remediation Strategy, Air Quality Impact Assessment, Contamination Assessment Report, Report on a Phase 2 Ground Investigation, Extended Phase 1 Habitat Survey, Food Risk Assessment and Drainage Strategy, construction Management Plan with supporting plans, Construction Logistics Plan, Transport Statement Addendum, Illustrated Schedule of Materials and Planting, Soft Landscape Specification, Daylight Sunlight and Overshadowing Assessment, Detailed Plant Schedule and Specification, Financial Viability Assessment

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

3. Surface and Foul Water Disposal

The development shall not commence until works for the disposal of surface and foul water, including a foul water drainage strategy, have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk

4. Surface Water Attenuation

The development of any buildings hereby permitted shall not commence until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved

conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk

5. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:

- a. external appearance of the buildings;
- b. windows and doors
- c. refuse and cycle storage area
- d. the boundary treatment

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

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

6. Electric Charging Points

The development hereby permitted shall not progress beyond damp proof course level until details of the electric vehicle charger point/s for the proposed development in accordance with London Plan Standards (2016), shall be submitted to and approved in writing by The Local Planning Authority. The electric vehicle charger point/s shall be implemented on site prior to occupation of the development in accordance with the approved details and shall be retained thereafter.

REASON: In the interests of sustainable transport

7. Permitted Development Restriction 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Classes A - F in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents.

8. Permitted Development Restriction 2

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity

9. Landscaping Implementation

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first use of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the 5 development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development maintains appropriate provision for soft landscaping soft landscaping details

10. Hard Surfacing

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

REASON: To ensure that adequate and sustainable drainage facilities are provided

11. Contamination 1

The development hereby permitted shall be undertaken in accordance with the remediation measures and strategy detailed within the Phase 3 Remediation Strategy (November 2018), unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems

12. Contamination 2

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in

the approved remediation scheme a verification report must be prepared, which is subject to the Local Planning Authority in writing to be agreed

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

13. Accessible and Adaptable Dwellings

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

14. Wheelchair user Dwellings

Ten per cent of the proposed dwellinghouses shall be constructed to meet the specifications of Building Regulation requirement M4(3) 'wheelchair user dwellings' and shall thereafter be retained in that form.

REASON: To ensure that the appropriate number of dwellinghouses are designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users

15. Construction Logistics Plan

The development hereby permitted shall be constructed in accordance with the details set out within the Construction Logistics Plan and Construction Management Plan, unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area

17. Flank Windows

Notwithstanding the detail shown on the approved plans, the windows within the flank elevations of the dwellinghouses shall be obscurely glazed and non-openable below 1.7m above internal floor level. The windows implemented shall be retained thereafter.

REASON: To protect the amenities of the neighbouring occupiers

18. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime

19. Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety

20. Flues and pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 2.13, 3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.11, 3.12, 3.13, 5.2, 5.3, 5.13, 5.16, 6.3, 6.9, 6.10, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.21

Draft London Plan (2019) – intend to publish version: H1, H4, H5, H6, H8, E4, D1, D3, D4, D5, D6, D7, T4, T5, T6, T6.1, SI1, SI2, SI3, SI13, G6, DF1

Harrow Core Strategy (2012): CS1, CS8

Development Management Policies (2013): DM1, DM2, DM10, DM12, DM14, DM15, DM22, DM23, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Documents

Mayor of London, Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3. The Party Wall etc. Act 1996

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236 Wetherby, LS23 7NB. Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>
Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied

under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £131,580. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

5. Harrow Community Infrastructure Levy (provisional)

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £347,845

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges

6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

7. Thames Water

The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Edgware Brook, designated a main river.

8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

9. Compliance with conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

10. Highways Interference

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

11. Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Interim Chief Planning Officer	Orla murphy pp Beverley kuchar
Corporate Director	Paul Walker 5.6.2020

APPENDIX 2: SITE PLAN

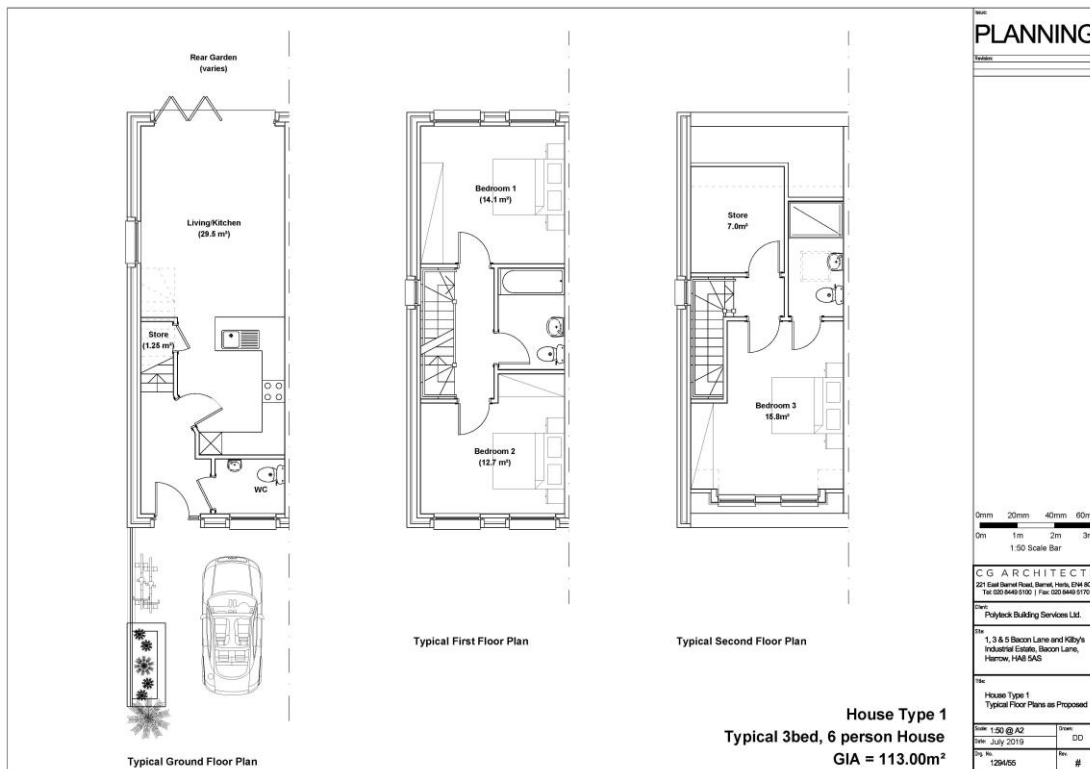


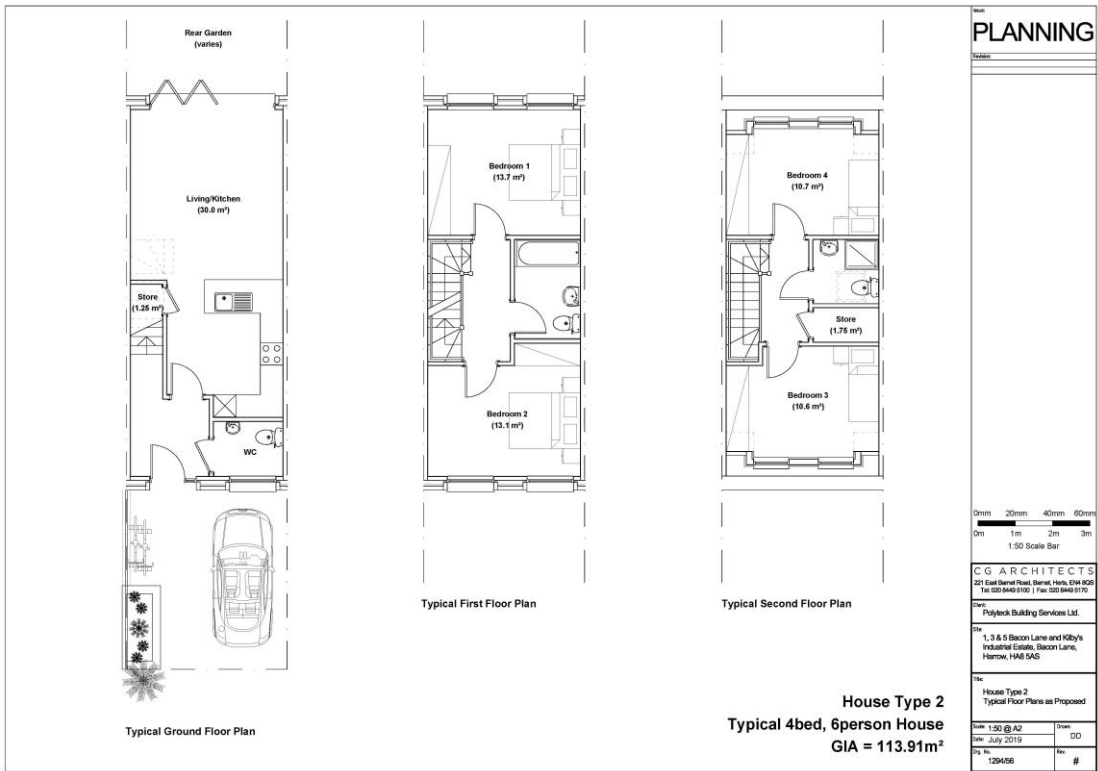
APPENDIX 3: SITE PHOTOGRAPHS

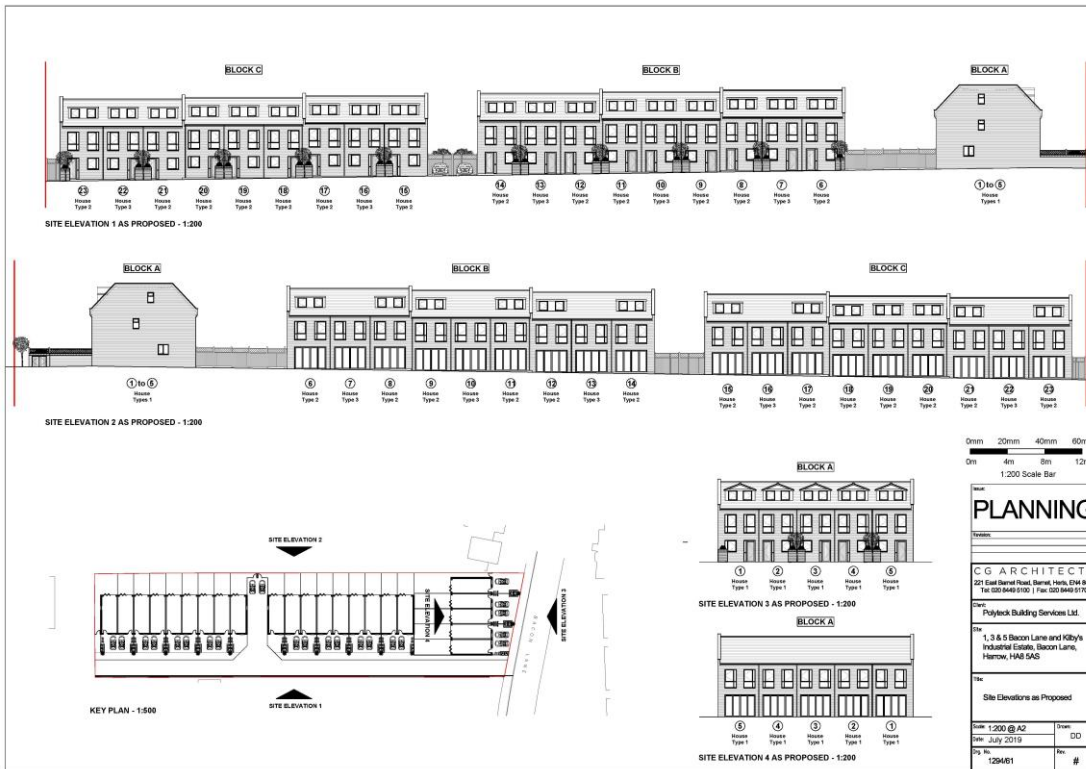




APPENDIX 4: PLANS AND ELEVATIONS







CG ARCHITECTS 221 East Barnet Road, Barnet, Herts, EN4 8QS Tel: 020 8448 5100 Fax: 020 8448 5170	Client: Polyteck Building Services Ltd.	Site: 1, 3 & 5 Bacon Lane and Kilby's Industrial Estate, Bacon Lane, Harrow, HA8 5AS	Title: Visualisation as Seen from Bacon Lane	Scale: Not to Scale Date: July 2019 Dwg. No.: 129463	Drawn: DD Rev: #	PLANNING
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