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## REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

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### MEETING HELD ON 25 MARCH 2009

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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Husain Akhtar \* Manji Kara (1)  
\* Don Billson \* Julia Merison  
\* Keith Ferry \* Jerry Miles (3)  
\* Krishna James

\* Denotes Member present  
(1) and (3) Denote category of Reserve Members

[Note: Councillors Mano Dharmarajah and Anthony Seymour also attended this meeting to speak on the items indicated at Minute 334 below].

#### **PART I - RECOMMENDATIONS**

##### **RECOMMENDATION I - Proposed Changes to Structure of Strategic Planning and Development Management Committees**

The report set out a proposal for the rationalisation of the Strategic Planning Committee and Development Management Committee into a single committee in the interest of efficiency and effectiveness. The same report had been submitted to the Strategic Planning Committee at its meeting on 11 March 2009.

It was noted that this report had been previously submitted to the Strategic Planning Committee.

##### **Resolved to RECOMMEND: (to Council)**

That (1) there be a return to a single decision making committee for all non-delegated planning decisions to be known as the Planning Committee and with the terms of reference attached as an appendix to the report with effect from the Municipal Year;

(2) any consequential and necessary amendments to the Constitution be undertaken.

[The Committee wished for it to be recorded that the decision was unanimous].

(See also Minute 345)

**PART II - MINUTES**333. **Attendance by Reserve Members:**

**RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Thaya Idaikkadar	Councillor Jerry Miles
Councillor Joyce Nickolay	Councillor Manji Kara

334. **Right of Members to Speak:**

It was moved and agreed that for efficiency reasons, only the ward Councillor would be permitted to speak on item 3/02 – Veneto House, Park Drive, Rayners Lane.

**RESOLVED:** That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda items indicated:

<u>Councillor</u>	<u>Planning Application</u>
Mano Dharmarajah	Item 2/11 – Land to the Rear of 73-79 Minehead Road, Harrow.
Anthony Seymour	Item 3/02 – Veneto House, Park Drive, Rayners Lane.

335. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
10. Planning Applications Received. Item 2/10 – 72 Oakington Avenue, Harrow	Councillor Julia Merison	Councillor Merison declared a prejudicial interest in that she lived on the same road as the application. Councillor Merison left the room during the discussion and decision making on this item.
10. Planning Applications Received. Item 2/11 – Land to the Rear of 73-79 Minehead Road, Harrow.	Councillor Jerry Miles	Councillor Miles declared a personal interest in that he was an LEA Governor of Rooks Heath School. Councillor Miles remained in the room during the discussion and decision making on this item.

336. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 25 February 2009, be taken as read and signed as a correct record.

337. **Public Questions:**

**RESOLVED:** To note that no public questions were put.

338. **Petitions:**

- (i) Councillor Graham Henson presented a petition containing 49 signatures. The terms of the petition were as follows:

“We the undersigned who are residents of Minehead Road and Merlins Avenue wish to register our total opposition to the back garden development at 73-79 Minehead Road, which is proposing to have its access point in Merlins Avenue.

This development will have a detrimental effect for residents living in both Minehead Road and Merlins Avenue.

This development will be just feet away from the extremely busy vehicle

and pedestrian entrance to Rooks Heath High School where parents drop off and collect their children with many using their cars. Access is already difficult for existing residents particularly at peak times.

The parking situation is very tight in Merlins Avenue and will only be made worse if the application is granted.

There is a major drainage problem on this site as there have been many visits from drainage companies to clear out the drains at 79 Minehead Road, which was built just a few years ago. Other residents in Merlins Avenue are now also experiencing problems with drainage – all since development of number 79.

We urge the Council to reject the planning application.”

- (ii) A resident presented a petition containing 27 signatures. The terms of the petition were as follows:

“We the undersigned residents of Ranmoor Close, Ranmoor Gardens and Walton Drive strongly object to the request for Planning Permission Ref: P/0160/09 to be granted for the demolition of the garages and the redevelopment of the site adjacent to 46/47 Ranmoor close, Harrow, HA1 1UH.

The reasons for our objection is that we feel: The development of the proposed site will lead to an overcrowding in the close and gardens; the already huge parking problems experienced in the close and gardens will get even worse; this will lead to a negative effect on the immediate surrounding environment; the proposed flats will have a direct impact on the neighbouring properties lights and views; the flats will be overlooking other properties; the plans will be of detriment to the local area.”

- (iii) A resident presented a petition containing 1162 signatures. The terms of the petition were as follows:

“A petition consisting of 1,162 signatures on 41 pages in opposition to this application (Veneto House, Park Drive, Rayners Lane ref: P/1989/08/DFU.”

**RESOLVED:** That the petitions be received and noted.

339. **Deputations:**  
The Panel received a late request to receive a deputation on agenda item 12 – Tree Preservation Order No. 929.

**RESOLVED:** That (1) in accordance with Committee Procedure Rule 27.1, Procedure Rule 17 be suspended for Item 12 – Tree Preservation Order No. 929, to receive a deputation.

(2) to note that no further deputations had been received.

(See minute 344).

340. **References from Council and other Committees/Panels:**

**RESOLVED:** To note that there were no references.

341. **Representations on Planning Applications:**  
The Committee received a request to make a representation from the applicant of item 3/02 – Veneto House, Park Drive, Rayners Lane, on the list of planning applications. This item had been deferred from the last meeting and officers had recommended the application for refusal.

**RESOLVED:** That (1) in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/07 and 2/12 on the list of planning applications;

(2) representations not be received in respect of item 3/02 on the list of planning applications.

342. **Planning Applications Received:**

**RESOLVED:** That (1) in accordance with the provisions of the Local Government Act 1985, the following information be admitted to the agenda by reason of the special circumstances and grounds for urgency stated:

<u>Agenda Item</u>	<u>Special Circumstances / Reasons for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

and;

(2) authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

343. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed those enforcement notices awaiting compliance.

**RESOLVED:** That the report be noted.

344. **Tree Preservation Order No. 929:**

The Committee received a deputation from Mr Simon Pryce. Objecting to the confirmation of the Tree Preservation Order (TPO), Mr Pryce outlined reasons why he felt imposing a TPO on the relevant trees would not be beneficial. In response an officer explained to the Committee why he had recommended that a Tree Preservation Order be confirmed notwithstanding the objections.

**RESOLVED:** That Tree Preservation Order No. 929 be confirmed.

(The Committee wished to be recorded that the decision was unanimous).

(See minute 339).

345. **Proposed Changes to Structure of Strategic Planning and Development Management Committees:**

(See Recommendation I).

346. **INFORMATION REPORT - The Householders Appeal Service (HAS):**

In accordance with the Local Government (Access to Information) Act 1985, an information report on the Householders Appeal Service was admitted late to the agenda as the reason for urgency arose from the late publication of details of the new Householder Appeals Service on 16 March 2009 and for the need to ensure that Members were aware of the new arrangements prior to their implementation on 6 April 2009.

The report set out details of the new arrangements for determining householder appeals which were due to come into effect on 6 April 2009. The Chairman commented that one of the most significant issues arising from the new proposals was that no further representations could be submitted to the Planning Inspectorate for applications which went to appeal. The Chairman commented that she would be liaising with the Nominated Member to investigate how the minutes of the Council's Planning Committees could be revised to ensure that they contained the necessary information, as they would be more important in the consideration of an appeal.

**RESOLVED:** That the report be noted.

347. **Member Site Visits:**

**RESOLVED:** That Member Site Visits take place on Tuesday 21 April 2009 at 6.15 pm to the following sites:

- 2/08 – 58/60 Nibthwaite Road, Harrow.
- 2/12 – 9 Nelson Road, Stanmore.
- 2/13 – 83A and 83B Hindes Road, Harrow.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.35 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

**SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT**

**LIST NO:** 2/01                      **APPLICATION NO:** P/3720/08/NR

**LOCATION:** Land to Rear of 123 – 135 Whitchurch Lane, Edgware.

**APPLICANT:** Trident Properties Ltd.

**PROPOSAL:** 6 Retirement Units in 2 Single Storey Blocks; Access from Stratton Close with Alterations; Parking.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/02                      **APPLICATION NO:** P/3496/08/NR

**LOCATION:** 385 Honeypot Lane, Stanmore.

**APPLICANT:** Mr Kumarsamy Indrachith.

**PROPOSAL:** Change of Use from Estate Agent to Private Hire Mini Cab Booking Office (Class A2 to Sui Generis).

**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/03                      **APPLICATION NO:** P/3976/08/SB5

**LOCATION:** 14 Pinner Hill Road, Pinner.

**APPLICANT:** Mr David Lewinson.

**PROPOSAL:** Demolition of Existing Detached Dwellinghouse and Redevelopment to Provide Three Terraced Dwellinghouses; New Vehicle Access From Tudor Road; New Metal Rail Fencing Along Pinner Hill Road and Tudor Road.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/04                      **APPLICATION NO:** P/4087/08/NR

**LOCATION:** 29 Carlton Avenue, Harrow.

**APPLICANT:** Miss Nosheen and Saira Arian.

**PROPOSAL:** Continued Use of Dwellinghouse as Two Flats, Proposed Single Storey Rear Extension, Demolition of Side Garage (Revised).

**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/05                      **APPLICATION NO:** P/3966/08/DC3

**LOCATION:** Former Clinic / Scout Hut, Rear of Tenby Road, Edgware.

**APPLICANT:** Samson Construction Ltd.

**PROPOSAL:** Retention of the Sub – Structure and Construction of the Super Structure of 10 Affordable Houses.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

**LIST NO:** 2/06                      **APPLICATION NO:** P/3845/08/GL

**LOCATION:** Botwell Court, 118 Headstone Road, Harrow.

**APPLICANT:** Mr K Sabaratnam.

**PROPOSAL:** Provision of Two Flats Within Mansard Roof Space Together With Roof Lights to Front and Rear Roofslopes.

**DECISION:** REFUSED permission for the development described in the application and submitted plans, for the following reasons:

(i) The proposal, by reason of an excessive number of velux rooflights both to the front and rear elevations, with regard to the design of the roof, would appear visually obtrusive and would detract from the established pattern and character of the existing development in the vicinity and would have a detrimental effect on the visual amenities of the nearby occupiers contrary to HUDP Policy D4.

(ii) The two flats, which would be created by the use of the roof space, would afford substandard accommodation to the detriment of the residential amenities of the future occupiers thereof and, in the absence of easy access to the upper floor and the fact that these flats would be located on the fourth floor, would fail to meet the requirements of Life Time Homes Standards contrary to HUDP (2004) policy D4 and the Accessible Homes Supplementary Planning Document (April 2006).

Note: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;

(2) Councillors Marilyn Ashton, Husain Akhtar, Don Billson, Julia Merison and Manji Kara wished to be recorded as having voted for the decision to refuse the application;

(3) Councillors Keith Ferry, Krishna James and Jerry Miles wished to be recorded as having abstained on the decision to refuse the application;

(4) the Head of Planning had recommended that the above application be granted].

**LIST NO:** 2/07                      **APPLICATION NO:** P/3558/08/GL

**LOCATION:** 112 Uxbridge Road, Harrow Weald.

**APPLICANT:** Mr Jay Dadhanian.

**PROPOSAL:** Retention of Detached Two Storey Dwellinghouse With Rooms in Roofspace; Timber Decking at Rear and Proposed Alterations to Garden Levels; Landscaping.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported and the following:

- (i) amending condition 5 to read:
1. The development hereby permitted shall not be occupied until the two first floor bathroom windows in the east flank wall have:
    - a) been glazed with purpose-made obscure glass, and
    - b) been permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.
  2. The west flank side door has:
    - a) been glazed with purpose-made obscure glass, and shall thereafter be retained in that form.

**REASON:** To safeguard the amenity of neighbouring residents from potential overlooking and loss of privacy.

- (ii) inserting an extra condition to read:

The development hereby permitted shall not be occupied until:

1. the west flank ground floor kitchen has
  - a) been glazed with purpose-made obscure glass, and
  - b) been permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form; and
2. the west flank side door has been glazed with purpose-made obscure glass, and shall thereafter be retained in that form

**REASON:** To safeguard the amenity of neighbouring residents from potential overlooking and loss of privacy.

- (iii) inserting an extra condition to read:

The development hereby permitted shall not be occupied until the retaining wall indicated on the Proposed Landscape Plan – Drawing No. 112UR/PLP05/1009 at the rear of the house and adjacent to the east rear garden boundary with the driveway to No. 110A Uxbridge Road has been constructed in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

**REASON:** To safeguard the character of the locality and the amenity of neighbouring residents.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector and the applicant, which were noted.

(2) The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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<b>LIST NO:</b>	2/08	<b>APPLICATION NO:</b>	P/4104/08/GL
<b>LOCATION:</b>	58/60 Nibthwaite Road, Harrow.		
<b>APPLICANT:</b>	Mr J Donovan.		
<b>PROPOSAL:</b>	Conversion of Two Dwellinghouses to Five Flats; Alterations to Roof to Form End Gables and Rear Dormers; Single Storey Rear Extension to Both Properties; External Alterations to First Floor Rear Elevation; Formation of New Vehicular Access to Hamilton Road; 1.8m High Boundary Fence.		
<b>DECISION:</b>	DEFERRED for a Member Site Visit.		

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**LIST NO:** 2/09                      **APPLICATION NO:** P/4116/08/NR  
**LOCATION:** 24-28 Church Road, Stanmore.  
**APPLICANT:** Jaspar Management Ltd.  
**PROPOSAL:** Third Floor Extension to Provide Offices (Class B1).  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.  
  
[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/10                      **APPLICATION NO:** P/3904/08/HG  
**LOCATION:** 72 Oakington Avenue, Harrow.  
**APPLICANT:** Mr Terry Daniel.  
**PROPOSAL:** Demolition of Existing Single Storey Side Extension and Erection of Single and Two Storey Detached House With Associated Vehicle Access and Parking.  
**DECISION:** REFUSED permission for the development described in the application and submitted plans for the following reasons:

- i) The proposal, by reason of its siting within the available plot, would have an adverse effect on the balance and pattern of development in the locality and would appear to be incongruous and out of keeping in the street scene contrary to HUDP policy D4.
- ii) The layout, design and landscaping of the frontage of the proposal, together with number 72 itself, would result in excessive hard surfacing to the detriment of the character of the area and the street scene, contrary to HUDP policies D4, D5 and D9.

Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;

(2) Councillors Marilyn Ashton, Husain Akhtar, Don Billson, Julia Merison and Manji Kara wished to be recorded as having voted for the decision to refuse the application;

(3) Councillors Keith Ferry, Krishna James and Jerry Miles wished to be recorded as having abstained on the decision to refuse the application;

(4) the Head of Planning had recommended that the above application be granted].

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**LIST NO:** 2/11                      **APPLICATION NO:** P/3764/08/SB5  
**LOCATION:** Land to the Rear of 73-79 Minehead Road, Harrow.  
**APPLICANT:** Mr Terry Daniel.  
**PROPOSAL:** Outline for Layout, Scale, Appearance and Access: 2 X Two-Storey Semi-Detached Houses With Single Storey Projections, New Vehicle Access and Parking at Front.  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported.

Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused for reasons relating to the application providing substandard accommodation to the detriment of future occupiers, being detrimental to parking flow and endangering the safety of local pupils. Upon being put to a vote, this was not carried;

(2) Councillors Marilyn Ashton, Husain Akhtar, Julia Merison and Manji Kara wished to be recorded as having voted against the motion to refuse the application;

(3) Councillors Keith Ferry, Krishna James and Jerry Miles wished to be recorded as having voted for the motion to refuse the application;

(4) Councillors Marilyn Ashton, Husain Akhtar, Julia Merison and Manji Kara wished to be recorded as having voted for the decision to grant the application;

(5) Councillors Keith Ferry, Krishna James and Jerry Miles wished to be recorded as having voted against the decision to refuse the application.

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<b>LIST NO:</b>	2/12	<b>APPLICATION NO:</b>	P/0006/09/FOD
<b>LOCATION:</b>	9 Nelson Road, Stanmore.		
<b>APPLICANT:</b>	Harrow Council.		
<b>PROPOSAL:</b>	Single and Two Storey Side Extension, Single Storey Front and Rear Extensions, Front Access Ramp.		
<b>DECISION:</b>	DEFERRED for a Member Site Visit.		

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<b>LIST NO:</b>	2/13	<b>APPLICATION NO:</b>	P/0026/09/SG
<b>LOCATION:</b>	83A and 83B Hindes Road, Harrow.		
<b>APPLICANT:</b>	Mrs Rehana Jahangeer Choudhry.		
<b>PROPOSAL:</b>	Detached Outbuildings at Rear of Both Properties.		
<b>DECISION:</b>	DEFERRED for a Member Site Visit.		

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<b>LIST NO:</b>	2/14	<b>APPLICATION NO:</b>	P/2973/08/TEM
<b>LOCATION:</b>	31 Honister Gardens, Stanmore		
<b>APPLICANT:</b>	Mr and Mrs V and M Chokshi.		
<b>PROPOSAL:</b>	Single Storey Front; Single/Two Storey Side to Rear; Single Storey Rear Extensions.		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported.		
	[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].		

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<b>LIST NO:</b>	2/15	<b>APPLICATION NO:</b>	P/0007/09/DC3
<b>LOCATION:</b>	8 St Anns Road, Harrow.		
<b>APPLICANT:</b>	Ablethird Ltd.		
<b>PROPOSAL:</b>	Change of Use of 8 St Anns Road From an Adult Gaming Centre (Sui Generis) to Retail Shop (Class A1).		

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to a legal agreement and the conditions and informatives reported and the deletion of condition number 2 on application number P/0007/09.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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**LIST NO:** 2/16                                    **APPLICATION NO:** P/0008/09/DC3  
**LOCATION:** 10 St Anns Road, Harrow.  
**APPLICANT:** Ablethird Ltd.  
**PROPOSAL:** Change of Use of 10 St Anns Road From Retail Shop (Class A1) to an Adult Gaming Centre (Sui Generis).

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to a legal agreement and the conditions and informatives reported and the deletion of condition number 2 on application number P/0008/09 and replace with the following condition:

- (i) Before the use of No. 10 St. Anns Road hereby permitted begins, details of the window display including lighting thereof, similar to that of a shop shall be submitted to and approved in writing by the local planning authority, and thereafter such a display shall be retained in that form.

**REASON:** To ensure that the unit does not detract from the vitality of the shopping parade/centre by its appearance in the street scene.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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### **SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

**LIST NO:** 3/01                                    **APPLICATION NO:** P/3135/08/SB5  
**LOCATION:** The Old Bakery, Grange Court, Grange Gardens, Pinner.  
**APPLICANT:** Aqua Roofing.  
**PROPOSAL:** First Floor Over Existing Office Building and Two Storey Side Extensions; Front Dormers X 2; External Alterations to Adjacent Garages and Continued Use as Commercial Storage (Amended Plans).

**DECISION:** REFUSED permission for the development described in the application and submitted plans for the reason reported, had the applicant not appealed against non-determination.

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**LIST NO:** 3/02                                    **APPLICATION NO:** P/1989/08/OH  
**LOCATION:** Veneto House, Park Drive, Rayners Lane.  
**APPLICANT:** Mr Hashim Nawrozzedeh.  
**PROPOSAL:** Change of Use of Building from Light Industrial (B1) to Community Use and Educational Purposes (D1) and External Alterations Including Front Entrance Ramp.

**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the addendum, for the reasons reported.

[Note: The Committee wished for it to be recorded that the decision to refuse the application was unanimous].

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