



**DEVELOPMENT CONTROL
COMMITTEE**

TUESDAY 11 APRIL 2006

ADDENDUM

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LONDON BOROUGH OF HARROW

ADDENDUM

DEVELOPMENT CONTROL COMMITTEE

TUESDAY 11TH APRIL 2006

Section 1

1/01 The information contained in the report in respect of Prince Edward Playing Fields and Wealdstone Football Club is out of date and inaccurate. For this reason the report requires amending as set out below and recommendation 1 (iv) has been amended to read:

“The applicant to pay Harrow Council the sum of £750,000 within the 14 days of the commencement of development consequent to Harrow Council undertaking to complete or procure the completion of the Prince Edward Playing Field football stadium within 24 months of the payment being made.”

c) Proposal Details

Delete last paragraph on p6 and replace with:

“The applicant has offered to pay a total of £750,000 through the S106 agreement towards the completion of works at the Prince Edward Playing Fields. This project, which includes a new stadium intended for Wealdstone Football Club as well as several sports pitches and leisure facilities, has been stopped following the bankruptcy of the previous development partner. The funding available through this application would contribute towards the completion of the works required. As the freeholder of the facilities, the Council will be in a position to initiate discussions with both the Wealdstone Football Club and Edgware Town with a view to establishing ground sharing arrangements. It cannot, however, make this a requirement for the S106 funding as the decisions of the football clubs about their future are outside the Council’s control.”

APPRAISAL

Delete last paragraph on p8 and replace with:

‘It should be noted that the potential for the Edgware Town Football Club and the Wealdstone Football club to ground share at the Prince Edward Playing Fields would be facilitated through the S106 capital contribution. Members will no doubt be aware that the Prince Edward site has lain abandoned for many years following the London Borough of Camden shutting it down. The approved proposals provide for a 3000 capacity stadium, a full size artificial surface pitch and 12 adult/junior pitches, together with cricket and tennis facilities.

The report highlighted in the previous paragraph commented that the Prince Edward development will increase the surplus of senior pitches and reduce the deficit of junior pitches, thus overcoming any potential deficiency arising from the loss of the Edgware ground. The approval of this application would therefore enable Sports England’s concerns to be overcome through the completion of the development at Prince Edward.’

1/02 Amend description to read 34 flats.

RECOMMENDATION

Delete ii) and substitute

- ii) "The provision of Affordable Housing namely 10 shared equity or key worker new build homes, subject to a nomination agreement with the Council.

1/03

Amended drawings have been submitted:

The following plan nos:

5001/21B, 5001/24B, 5001/25B, 5001/26B, 5001/27/B, 5001/28B, 5001/29B, 5001/30B, 5001/31B, 5001/32B, 5001/33B, 5001/34B, 5001/35B

are substituting plan nos.

5001/21A, 5001/24A, 5001/25A, 5001/26 Rev A, 5001/27A, 5001/28A, 5001/29A, 5001/03A, 5001/31A, 5001/32A, 5001/33A, 5001/34A, 5001/35A

Reasons for Refusal:

Delete Reason no 1 (proposed roof extension)

Amend Reason no 2 to read...

"The proposal would be likely to adversely affect the residential amenity of prospective occupiers of the residential units by reason of noise and odour nuisance."

Remove Reason no.3 (Marketing of premises)

Amend Reason no. 5 to read...

"The proposed development would lead to actual or perceived overlooking.....etc."

APPRAISAL

1) Land Use

Delete 3rd, 4th and 5th sentences, beginning "Policy EM15 of the.....etc" and replace with:

"The terrace is characterised by residential use on the upper floors and as such the change of use of the office floorspace to residential use is considered to be acceptable as it would re-introduce residential use to the upper floors."

Housing

Amend first sentence to read...

"The proposal includes the provision of 5 x 1 bed units."

2) Amenity

Amend 2nd sentence to read...

"located near the first floor bedroom and living room windows."

Amend last sentence to read...

"...would lead to actual and perceived overlooking....."

3) Standard of Design and Layout

Amend last paragraph to read...

"...would be an appropriate addition to the building as it would respect the scale, form and character of the surrounding area and would be appropriate to the streetscene."

Section 2

2/01

Amend DESCRIPTION:

after "Fri & Sat 09.00 – 01.00 add "and 09.00 - 02.00 on the following day for 13 'special days' "

RECOMMENDATION

Amend Condition 1 to read:

"The use hereby permitted shall not be open to customers outside the following times:

i) 09.00 hours to 03.00 hours Sunday to Thursday and 09.00 hours to 01.00 hours Friday and Saturday,

ii) 09.00 hours to 02.00 hours on the following 'special days':

Christmas Eve (Dec 24)

Boxing Day (Dec 26)

Burns Night (25 Jan)

Australia day (26 Jan)

St.David's Day (1 March)

St.Patrick's Day (17 March)

St.George's Day (23 April)

St.Andrew's Day (30 Nov)

Thursday immediately preceding Good Friday

Sundays immediately preceding Bank Holiday Mondays."

2/02

INFORMATION

This application was deferred for notification of Harrow Hill Trust. No response received.

2/04

Application refused under delegated powers 3 April 2006.

Report withdrawn.

2/05

INFORMATION

This application is reported to Committee at the request of a Nominated Member.

Notifications

2 further replies (objecting)

additional responses: inadequate turning space; proposal now constitutes new development not permissible under the Town and Country Planning Act; application is property development by stealth on land that belonged to the Council.

Consultation responses

- Turning space not affected.
- Application to be considered on its own merits under the Town and Country Planning Act.
- Details of application proposal and site history as set out in main report.

2/08 APPRAISAL

Conversion of houses and other buildings to flats:

The report was written on the basis that the drawings would be modified to indicate disabled access to the ground floor units. The amended details have not been received and accordingly:

DEFER at Officers' request to await revised proposals to indicate disabled access to the two ground floor flats.

2/14 RECOMMENDATION

Condition 4: delete ".....disabled persons access to the building...."

And insert in its place: "...the provision of one parking space in the front garden...."

c) Proposal details

Amend to read...

- Alterations and conversions to create three self contained-flats.
- Provision of three parking spaces, two at the front, one at the rear.

2/15 English Heritage and the Government Office for London have given their authorisation that this application can be determined by Harrow Council as it thinks fit.

2/16 Amend description to read...
"SUNDAY TO THURSDAY AND MIDNIGHT WEDNESDAY TO SATURDAY, AND VARIATION OF CONDITION 6 TO ALLOW MUSIC."

RECOMMENDATION

Add Condition 2:

No amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents.

2/17 Amend Description to read.....
"Variation of condition 9....etc"

2/19 Amend Condition 4:

'The developmenta scheme of hard and soft landscape works which shall include proposals for the hedgerow and a maintenance plan for the future maintenance of the hedgerow boundaries, and enhancement of the hedge adjacent to the rear garden of No.94 Moss Lane which shall be maintained at a height no lower than 2.1m.

Add to REASON '...development, and to protect neighbouring amenity.'

2/23 Site Description and APPRAISAL

The site is designated in the Harrow Unitary Development Plan as a site of nature conservation importance, not Metropolitan Open Land, as stated in the report.

The proposed refurbishment works would comply with the advice in Unitary Development Plan Policy D14(a) and the Canons Park Estate Conservation Area Statement that encourages the retention of features that are important to the character and appearance of the area.

2. The Environment Agency revised their original advice in which they had stated that a survey of greater crested newts would be needed before the works could commence. They now advise that such a survey would not be necessary.
3. English Heritage advised that the proposal can be determined in accordance with local and national policy.
4. Drainage services advised that as the works are on a tributary of Edgware Brook, the applicants are advised to contact the Environment Agency for permission to carry out the works.

3/01

Plan nos: Revised drawing 01 received 31st March 2006

Notification Replies

2 further replies (objecting)

Additional responses: precedent, eaves and guttering encroach our property, careless or negligent workings occasioned damage to garage and fencing, Council has continually ignored residents concerns, Council and its employees are negligent; request new report on enforcement to be commissioned for next Development Control meeting date.

APPRAISAL

5) Access for the disabled

Add paragraph: The revised drawing 01 received 31st March shows pedestrian access to the front entrance of the existing and proposed dwellings, two bins and notes a gentle slope from door threshold to pavement level. It is considered that this drawing adequately addresses the Council's concerns with regard to disabled access, whilst provision for bin storage remains inadequate and the landscaping is now shown straddling the boundary with neighbouring property, and is similarly inadequate.

6) Parking

Add paragraph: The revised drawing 01 also introduces two bike racks to the forecourt. Whilst welcome, they are not considered sufficient to overcome the Council's concerns with regards to parking.

7) Consultation Responses

- Enforcement issues the subject of a separate report considered at the March meeting (attached)
- Damage during construction a matter between the parties concerned
- Allegation of Council negligence not a matter for this application.

3/05

Grass Verge Fronting 98 Albury Drive

1 petition containing a total of 284 signatures objecting to the proposal and 95 letters of objection received by the council.

Summary of Responses: Contravention of PPG8, UDP and Town & Country Planning Act 1990; out of character; detrimental to visual amenity; alt.study siting inappropriate,disguise as telephone mast inadequate, increase in activity through maintenance of mast, health concerns, already good reception on phones in Pinner, perceived health risks, property values decrease, this application has caused anguish to local community, highway safety concerns, grouping of masts, not enough time to get consultation responses back before meeting, negligence, considering legal action against the council if decision is taken in favour of mast, contrary to Conservation Policy, there must be a more suitable site, site in direct path of school run.

Section 5 Telecomm Prior Approvals

LAND FRONTING 93 BRIDGE STREET, PINNER

P/883/06/CDT/OH

Ward: PINNER

PRIOR APPROVAL DETERMINATION: 15M HIGH TELECOMMUNICATIONS MAST WITH 2 ANTENNA & EQUIPMENT CABINETS
WALDON TELECOM LTD for O2 (UK) LTD

RECOMMENDATION

PRIOR APPROVAL of details of siting and appearance IS required

RECOMMENDATION

Plan Nos: P/36962A/GEN/050, P/36962A/GEN/51A

Subject to consultation response, REFUSE prior approval of details of siting and appearance for the development described in the application and submitted plans for the following reason(s):	
1	The proposal by reason of its excessive height and prominent siting would be unduly obtrusive in the streetscene to the detriment of the visual amenity of neighbouring occupiers and the character of the locality.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Compliance with ICNIRP
- 2) Need for Installation
- 3) Character of Area and Visual / Residential Amenity (S1, D4, D26)
- 4) Consultation Responses

INFORMATION

Green Belt	No
Conservation Area:	No
Council Interest:	None

b) Site Description

- Land at junction of Bridge Street and the vehicular entrance to the rear of Fitness First and Lidl supermarket and opposite Pinner Police Station
- Site located within Pinner District Centre
- Site currently used as a maintained highways pavement, there is a bench located approximately 2 metres to the south east

- Site located 10 metres in front of residential properties situated on two floors above commercial premises at 81-95 Bridge Street
- Surrounding area is mixed commercial and residential

c) Proposal Details

- Installation of new 15m high mast with two antennas and two associated cabinets at ground level
- Cabinets are attached to one another and would be sited 0.8m north west of the pole one measures 1.402m x 0.79m x 1.3m and the other measures 0.36m x 0.185m x 1.2m
- The mast and associated cabinets would be painted black

d) Relevant History

None

e) Applicant's Statement

- There is an operational need for the development
- Alternative sites have been looked at but the applicant site represents the most suitable option
- The proposal complies with ICNIRP guidelines

f) Consultations

CAAC: awaited

Notifications	Sent 81	Replies awaited	Expiry 27-04-06
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Summary of Responses: awaited

APPRAISAL

1) Compliance with ICNIRP

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

2) Need for Installation

The applicant provides technical information with regards to the current capacity and coverage. They state that they have a limited coverage within Pinner and as a consequence there is a requirement to improve their service coverage. As such, the applicant shows both technical justification and an operational need for the works proposed.

3) Character of Area and Visual / Residential Amenity

The scale and location of the proposal is such that the works would have a negative visual impact on both the character of the area and the visual amenity of nearby residents. Due to the width of the road, it is not considered that this proposal would have a detrimental impact on the character or appearance of the adjacent conservation area.

The land immediately surrounding the site does contain a small street tree; however there is no street furniture within the verge site itself. The nearest lamppost to the site is located opposite 69 Bridge Street outside Fitness First (shown as a 'sign' on the submitted plans). This lamppost is approximately 8-10 metres in height (as confirmed by the Lighting Engineers) and as such it is considered that in comparison, the proposed 15 metres height would be unduly obtrusive in the streetscene and detrimental to the visual amenities of the neighbouring residential occupiers, located 10 metres to the south west above the commercial properties (91 and 95 Bridge Street). This impact is exacerbated further by the openness and prominence of this site on a relatively open corner junction. It is considered that the proposed height, along with the prominent location would have a negative impact on the streetscene and the character of the area and invariably reduce residential amenity. This application would therefore contravene Council Policy. Accordingly, the application is recommended for refusal

4) Consultation Responses

Awaited

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, prior approval of details of siting and appearance is required and this application is recommended for refusal.

85 CAPTHORNE AVENUE HARROW Ward: RAYNERS LANE
ERECTION OF 8M HIGH TELECOM POLE AND EQUIPMENT CABINET AT GROUND LEVEL
AGENT for APPLICANT- PHA COMMUNICATIONS LTD

RECOMMENDATION 1:

PRIOR APPROVAL of details of siting and appearance IS required

RECOMMENDATION 2:

Plan Nos: GLN8163/A/01/A GLN8163/A/02/A

REFUSE prior approval of details of siting and appearance for the development described in the application and submitted plans for the following reason(s):

1	The proposal, by reason of unsatisfactory appearance and siting, would be visually obtrusive, unduly prominent and would result in additional visual clutter that would be to the detriment of local residents and the visual amenity of the surrounding locality.
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MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Compliance with ICNIRP
- 2) Need for Installation
- 3) Character of Area and Visual / Residential Amenity (SEP5, D24)
- 4) Consultation Responses

INFORMATION

a) Summary

Green Belt	
Conservation Area:	
Council Interest:	None

b) Site Description

- Application site is located on a maintained highways pavement and grass verge on south side of Capthorne Avenue at junction with Kings Road.
- Surrounding area is residential.

c) Proposal Details

- Installation of 1 x 8 metre free standing telegraph pole holding one x omni directional antenna
- one equipment cabinet of 2.5 cubic metres adjacent to it.
- Mast would be of a wood effect material to appear like a telegraph pole. Equipment cabinet

d) Relevant History

- None

<p>Reasons for Refusal: 1 The proposal, by reason of unsatisfactory siting would be visually obtrusive and unduly prominent and would result in unnecessary visual clutter that would be detrimental to the appearance of the area and the quality of the local environment of residents.</p>
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e) Applicant's Statement

- There is an operational need for the development

- Alternative sites have been considered but the application site was found to be the most suitable option
- The proposal complies with the ICNIRP guidelines

f) Consultations

Notifications	Sent	Replies	Expiry
	9	0	08-APR-2006

APPRAISAL

1) Compliance with ICNIRP

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

2) Need for Installation

The applicant has justified the proposed location in technical and planning terms:

- Existing local base network cannot deal with increased demand for additional conventional voice traffic and internet related data traffic.
- Site has been selected to complement existing network and to provide additional capacity for '3G' services, as required under the terms of their licence from the Government.
- Other sites nearby have been discounted because the pavements are not wide enough or because they are in less discreet locations than the application site.
- Nearby trees will screen intrusiveness of apparatus when viewed from north and south and along Kings Road. Mock telegraph pole design will diminish impact of views from the east.
- Site cannot be seen from the west, as the side of the house (85 Caphorne Avenue) has no habitable room windows.

3) Character of Area and Visual / Residential Amenity

The locality is entirely residential in character, comprising mainly short terraces of houses with spacious gardens. The mast and equipment cabinet are proposed to be located on a wide grass verge on the south western edge of the broad junction of Caphorne Avenue and Kings Road. There are already four sizeable BT junction box equipment cabinets located on the pavement, along with further cabinets on the north west and south east edges of the road junction.

In these circumstances it is considered that the addition of further apparatus would result in unsightly and intrusive clutter in a prominent part of the streetscene. This would be contrary to UDP Policy D24, which advises that proposals for such development will be considered favourably providing that, having regard to operational need, there would be no serious risk to amenity in residential areas and the proposed installation would be sited and designed to minimise visual impact. It is concluded that the proposal fails to comply with this advice.

4) Consultation Responses

None received as of date of this report (8th April)

CONCLUSION

Prior approval of details of siting and appearance is required and this application is recommended for refusal.

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DEVELOPMENT CONTROL COMMITTEE – 11 APRIL 2006

AGENDA ITEM 10

**ADVANCE WARNING GIVEN OF REQUESTS TO MAKE REPRESENTATIONS ON
PLANNING APPLICATIONS**

Application	Objector	Applicant/Applicant's Representative (who have advised that they would wish to reply)
Item 1/01 Edgware Football Club, Burnt Oak Broadway, Edgware	Mr Jacobs	Mr Ryzner
Item 2/12 4 Longley Road, Harrow	Mr Short	
Item 2/14 33 Lulworth Gardens, Harrow	Mr Bonnick	

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