



**DEVELOPMENT CONTROL
COMMITTEE
WEDNESDAY 11 JANUARY 2006
7.30 PM**

COMMITTEE AGENDA

**COMMITTEE ROOMS 1 & 2,
HARROW CIVIC CENTRE**

MEMBERSHIP (Quorum 3)

Chair: Councillor Anne Whitehead

Councillors:

**Bluston
Choudhury
Idaikkadar
Miles**

**Marilyn Ashton (VC) Thornton
Mrs Bath
Billson
Janet Cowan
Mrs Joyce Nickolay**

Reserve Members:

1. Ismail
2. Blann
3. Thammaiah
4. Mrs R Shah
5. O'Dell

1. Kara
 2. Arnold
 3. Seymour
 4. John Nickolay
 5. Versallion
1. Branch

**Issued by the Democratic Services Section,
Legal Services Department**

**Contact: Kate Boulter, Committee Administrator
Tel: 020 8424 1269 E-mail: kate.boulter@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.
IT WILL BE COLLECTED FOR RECYCLING.***

HARROW COUNCIL

DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 11 JANUARY 2006

AGENDA - PART I

Guidance Note for Members of the Public Attending the Development Control Committee (Pages 1 - 2)

1. **Attendance by Reserve Members:**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

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

To agree requests to speak from Councillors who are not Members of the Committee, in accordance with Committee Procedure 4.1.

3. **Declarations of Interest:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

4. **Arrangement of Agenda:**

(a) To consider whether any item included on the agenda should be considered with the press and public excluded because it contains confidential information as defined in the Local Government (Access to Information) Act 1985;

(b) to receive the addendum sheets and to note any applications which are recommended for deferral or have been withdrawn from the agenda by the applicant.

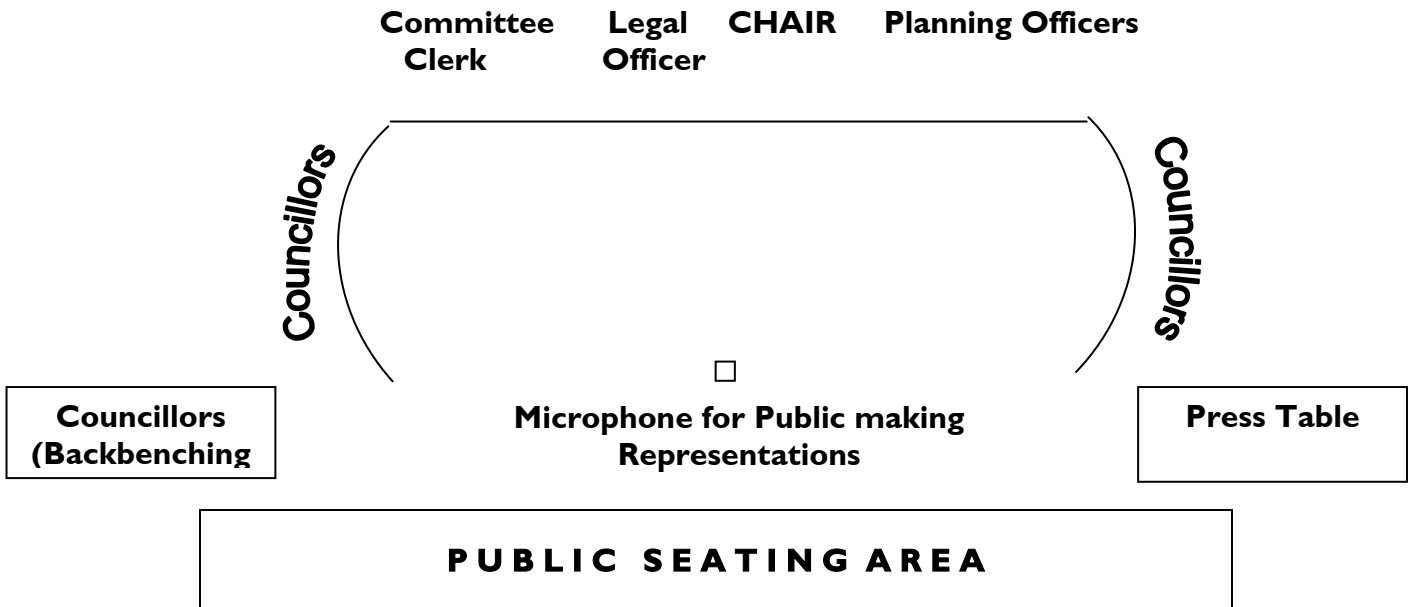
- Enc. 5. **Minutes:** (Pages 3 - 14)
That it be agreed that, having been circulated, the Chair be given authority to sign the minutes of the meetings held on 7 December 2005 and 19 December 2005 as a correct record, once they have been printed in the Council Bound Minute Volume.
- [Note: The minutes of the meeting held on 19 December 2005 will be circulated on a supplemental agenda].
6. **Public Questions:**
To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).
7. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors.
8. **Deputations:**
To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B) of the Constitution.
9. **References from Council and other Committees/Panels:**
To receive references from Council and any other Committees or Panels (if any).
10. **Representations on Planning Applications:**
To confirm whether representations are to be received, under Committee Procedure Rule 17 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.
11. **Planning Applications Received:**
Report of the Group Manager (Planning and Development) - circulated separately.
- Enc. 12. **Planning Appeals Update:** (Pages 15 - 18)
Report of the Group Manager (Planning and Development).
- FOR INFORMATION**
- Enc. 13. **Enforcement Notices Awaiting Compliance:** (Pages 19 - 26)
- FOR INFORMATION**
- To follow 14. **Cost of Fees for High Hedge Formal Complaints:**
Report of the Group Manager (Planning and Development).
- Enc. 15. **1 Wildcroft Gardens, Harrow:** (Pages 27 - 30)
Report of the Group Manager (Planning and Development).
- Enc. 16. **High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner:** (Pages 31 - 36)
Report of the Group Manager (Planning and Development).

- Enc. 17. **4 Elm Park, Stanmore:** (Pages 37 - 42)
Report of the Group Manager (Planning and Development).
18. **Any Other Urgent Business:**
(which the Chair has decided is urgent and cannot otherwise be dealt with).

AGENDA - PART II - NIL

**GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC
ATTENDING THE DEVELOPMENT CONTROL COMMITTEE**

Committee Room Layout



Order of Committee Business

It is the usual practice for the Committee to bring forward, to the early part of the meeting, those planning applications where notice has been given that objectors wish to speak, or where members of the public have come to hear the debate.

You will find a slip of paper on your seat for you to indicate which item you have come for. This should be handed to the Committee Administrator prior to the start of the meeting.

Although the Committee will try to deal with the application which you are interested in as soon as possible, often the agendas are quite long and the Committee may want to raise questions of officers and enter into detailed discussion over particular cases. This means that you may have to wait some time. The Committee normally adjourns around 9.00 pm for a short refreshment break for Members.

Rights of Objectors/Applicants to Speak at Development Control Committees

Please note that objectors may only speak when they have given 24 hours notice. In summary, where a planning application is recommended for grant by the Chief Planning Officer, a representative of the objectors may address the Committee for up to 3 minutes.

Where an objector speaks, the applicant has a right of reply.

Planning Services advises neighbouring residents and applicants of this procedure.

The Development Control Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are also set out in the "**Guide for Members of the Public Attending the Development Control Committee**" which is available in both the Environmental Information Centre and First Floor Reception or by contacting the Committee Administrator (tel 020 8424 1269). This guide also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions, and the rules governing these procedures at the Development Control Committee.

Addendum Sheet

In addition to this agenda, an Addendum Sheet is produced on the day of the meeting. This updates the Committee on any additional information received since the formal agenda was published and also identifies any applications which have been withdrawn by applicants or which officers are recommending for deferral. Copies of the Addendum are available for the public in the Committee Room from 6.30 pm onwards.

Decisions taken by the Development Control Committee

Set out below are the types of decisions commonly taken by this Committee

Refuse permission:

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

Grant permission as recommended:

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

Minded to grant permission contrary to officer's recommendation:

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

Defer for a site visit:

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, the application may be deferred until the next meeting, for an organised Member site visit to take place.

Defer for further information/to seek amendments:

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

Grant permission subject to a legal agreement:

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

(Important Note: This is intended to be a general guide to help the public understand the Development Control Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 7 DECEMBER 2005

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Janet Cowan
* Mrs Bath * Idaikkadar
* Billson * Mrs Joyce Nickolay
* Bluston * Thammaiah (3)
* Choudhury * Thornton

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

[Note: Councillors Mrs Kinnear and John Nickolay also attended this meeting to speak on the item indicated at Minute 1040 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1039. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Miles	Councillor Thammiah

1040. **Right of Members to Speak:**

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:

Councillor Mrs Kinnear	Agenda Item 5 – Minutes and Agenda Item 14 – Planning Protocol
Councillor John Nickolay	Agenda Item 15 – Variation of S106 Agreement, Heathfield School

1041. **Declarations of Interest:**

RESOLVED: (1) To note the following declarations of interest made by Members present relating to business to be transacted at this meeting:

- (i) Planning Application P/2593/05/CDT – Stanmore Cricket Club, The Common, Stanmore
Councillor Bluston declared a personal in the above application arising from the fact that he had played cricket at the club and knew some of the officials. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.

1042. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following item/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 despatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

Second Addendum This contained information on two planning applications that required determination before the next ordinary meeting of the Committee on 11 January 2006.

Agenda Item 22 - Special Meeting of the Committee to Discuss Royal National Orthopaedic Hospital This item had been added to the agenda at the request of the Nominated Member for the Conservative Group, as the Special Meeting would be taking place before the next ordinary meeting of the Committee on 11 January 2006.

and

(2) all items be considered with the press and public present.

1043. **Minutes:**

RESOLVED: That (1) the Chair be given authority to sign the minutes of the meeting held on 9 November 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume, subject to the following amendments:

- (i) Minute 1015 – Declarations of Interest
Delete: “(iii) Planning Application 1/02 – The Grove, 31 Warren Lane, Stanmore
Councillor Mrs Joyce Nickolay declared a personal interest in the above application and, accordingly, she remained in the room and took part in the discussion and decision-making on this item.”
- (ii) Minute 1015 – Declarations of Interest
Delete: “(viii) Planning Application 2/24 – 3 Welbeck Road, South Harrow
Councillor Mrs Joyce Nickolay declared a personal interest in the above application and, accordingly, she remained in the room and took part in the discussion and decision-making on this item.”
- (iii) Minute 1015 – Declarations of Interest
(xii) Agenda Item 18 – 102, 104, 106 High Street, Harrow on the Hill
Amend to read: “Councillor Mrs Kinnear, who was not a Member of the Committee, declared a personal interest in the above agenda item, having taken advice from the Director of Corporate Governance, but wished it to be noted that she was not of the view that she had any interest in the item.”
- (iv) Minute 1015 – Declarations of Interest
Add: “(xiii) Planning Application 2/07 – Welldon Centre, Welldon Crescent, Harrow
Councillor Choudhury declared a personal interest in the above application and, accordingly, he remained in the room and took part in the discussion and decision-making on this item.”
- (v) Item 2/09 on the Schedule attached to the Minutes – 24 Uxbridge Road, Stanmore
Add to Notes: “(4) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan, Mrs Joyce Nickolay and Thornton wished to be recorded as having voted against the decision to grant the application.”
- (vi) Item 2/11 on the Schedule attached to the Minutes – 9 Welbeck Road, South Harrow
Amend Note (4) to read: “Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application.”

(2) the Chair be given authority to sign the minutes of the meeting held on 16 November 2005, those minutes having been circulated, as a correct record of that meeting, once printed in the Council Bound Volume, subject to the following amendment:

- (i) Minute 1027 – Declarations of Interest
Delete: “(ix) Agenda Item 18 – 102, 104, 106 High Street, Harrow on the Hill
Councillor Mrs Kinnear, who was not a member of the Committee, declared a personal interest in the above agenda item”.

(3) arising from discussions in relation to (1) and (2) above, it be noted that, for clarity, Members be requested to state the nature of their interest when declaring personal or prejudicial interests.

(See also Minute 1040)

1044. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 18.

1045. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 15.

1046. **Deputations:**

RESOLVED: To note that no deputations were put at the meeting under the provisions of Committee Procedure Rule 16.

1047. **Petition Relating to the Erection of an O2 Mobile Telephone Mast at the rear of Cannons Newsagent, Coronation Parade, Cannon Lane: Reference from the meeting of Council held on 20 October 2005:**

The Committee received a reference from the meeting of Council held on 20 October 2005 in the above matter.

Officers advised that there had been a considerable level of objection to the erection of the telephone mast. An application for a Certificate of Lawfulness had been submitted to the Council and this was currently being determined.

RESOLVED: That the above be noted.

1048. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of item 2/02 on the list of planning applications.

1049. **Planning Applications Received:**

RESOLVED: That authority be given to the Group Manager (Planning and Development) to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

1050. **Planning Appeals Update:**

The Committee received a report of the Group Manager (Planning and Development) which listed those appeals being dealt with and those awaiting decision.

RESOLVED: (1) That the report be noted;

(2) to note that Councillor Marilyn Ashton would be attending the public enquiry for 15 Gordon Avenue on 14 December 2005.

1051. **Enforcement Notices Awaiting Compliance:**

Officers advised that the above report, which provided a regular update on enforcement activity and had been marked 'To follow' on the agenda, was not available as it was being reworked in response to comments made by the Committee at its meeting on 9 November 2005. An improved version of the report would be submitted to the Committee's next ordinary meeting on 11 January 2006.

RESOLVED: That the above be noted.

1052. **Planning Protocol:**

The Director of Corporate Governance introduced a report on the above matter, which proposed the creation of a joint working party to clarify the status of the Planning Protocol and enable Members to review the contents of the Protocol. The Standards Committee had considered the same report at its meeting on 6 December 2005, and a copy of the draft minute of that meeting setting out the Standards Committee's resolutions on the matter was tabled.

The Director of Corporate Governance advised that the Protocol differed from the Members' Code of Conduct in that it provided guidance, rather than rules, and so could not be enforced by the Standards Board. The Standards Committee had supported the view that the Protocol could be enforced internally by referring breaches of the Protocol to a Hearing Panel of the Standards Committee.

Some Members expressed concern that maintaining the Protocol as guidance rather than rules would leave it open to interpretation, which could prove problematic. A Member questioned whether there was a need for a Planning Protocol separate from the Code of Conduct. In response, the Director of Corporate Governance advised that he considered it beneficial to have separate guidance for planning because of the sensitive financial and legal issues that could be encountered in the determination of planning applications.

The Committee supported the creation of a joint working party to revisit the Protocol and requested that a joint meeting of the Standards Committee and Development Control Committee be held to consider the findings of the joint working party.

RESOLVED: That (1) the Planning Protocol be revisited to clarify its status and enforceability, including its relationship with the Code of Conduct;

(2) an informal joint working party consisting of three Members of the Development Control Committee and three Members of the Standards Committee be established, with support from officers, to consider revision of the Protocol;

(3) the terms of reference of the joint working party include a provision for an evaluation to take place of planning protocols of other local authorities;

(4) the findings of the joint working party be reported to a joint meeting of the Development Control Committee and the Standards Committee;

(5) Councillors Marilyn Ashton, Thornton and Anne Whitehead be appointed to the joint working party as the three Members representing the Development Control Committee.

(See also Minute 1040)

1053. **Variation of S106 Agreement, Heathfield School:**

The Committee received a report of the Group Manager (Planning and Development) on the above matter.

RESOLVED: To refuse the request to vary the S106 Agreement as applied for.

[Note: (1) Upon being put to a vote, the motion to refuse the request to vary the S106 agreement as applied for was carried;

(2) Councillor Mrs Joyce Nickolay wished to be recorded as having voted against the decision to refuse the request to vary the S106 agreement].

(See also Minute 1040)

1054. **16A Whitchurch Lane, Edgware:**

The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorized to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the gantry
- (ii) the permanent removal of the materials arising from compliance with the first requirement (i) from the land.

(i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

1055. **108 Waxwell Lane, Pinner:**

The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorized to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the rear decking
- (ii) the demolition of the screen fencing to a height not exceeding 2 metres above ground level
- (iii) the permanent removal of the materials arising from compliance with the first (1) and second (ii) requirements above from the land
- (iv) grade the level of the land exposed by the removal of the decking to meet the natural contours of the land of the adjoining properties, and lay to turf.

(i), (ii), (iii) and (iv) should be complied with within a period of two (2) months from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

1056. **131 Malvern Avenue, Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorised to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the front porch extension and canopy
- (ii) the permanent removal of the materials arising from compliance with the first requirement (i) from the land.

(i) and (ii) should be complied with within a period of two (2) months from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

[Note: (1) Upon being put to a vote, the motion to authorise the Director of Legal Services to issue and enforcement notice was carried;

(2) Councillor Mrs Joyce Nickolay wished to be recorded as having voted against the decision to authorise the Director of Legal Services to issue an enforcement notice].

1057. **38 Headstone Gardens, Harrow:**
The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorised to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the single storey rear extension
- (ii) the permanent removal of the materials arising from compliance with the first requirement (i) from the land.

(i) and (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

1058. **67 Argyle Road, Harrow:**
The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorised to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the rear decking and railings
- (ii) the permanent removal of the materials arising from compliance with the first requirement (i) above from the land.

(i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) comply with the Enforcement Notice.

1059. **83B Hindes Road, Harrow:**
The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the Director of Legal Services be authorised to:

(1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:

- (i) the demolition of the gates and railings to a height not exceeding 1 metre in height above ground level

(ii) the permanent removal of the materials arising from compliance with the first requirement (i) above from the land.

(i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect;

(2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;

(3) institute legal proceedings in the event of failure to:

(i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or

(ii) comply with the Enforcement Notice.

[Note: (1) Upon being put to a vote, the motion to authorise the Director of Legal Services to issue and enforcement notice was carried;

(2) Councillor Marilyn Ashton wished to be recorded as having abstained from the vote].

1060. **Any Other Urgent Business:**
Special Meeting of the Committee to Discuss Royal National Orthopaedic Hospital

The Nominated Member for the Conservative Group expressed concern that the Special Meeting to discuss the application for the Royal National Orthopaedic Hospital (RNOH) would be taking place on a date when a number of Members would be unable to attend. The Chair reported that the application needed to be considered before the next ordinary meeting of the Committee.

RESOLVED: To note that a Special Meeting of the Committee would be held on Monday 19 December 2005 at 7.30pm to consider the Royal National Orthopaedic Hospital application.

1061. **Extension and Termination of the Meeting:**
In accordance with the provisions of Committee Procedure Rule 14.2 (Part 4B of the Constitution) it was

RESOLVED: (1) At 10.00 pm to continue until 10.30 pm;

(2) at 10.30 pm to continue until 10.40 pm;

(3) at 10.40 pm to continue until 11.00 pm;

(4) at 11.00 pm to continue until 11.05 pm;

(5) at 11.05 pm to continue until 11.10pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.08 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/2394/05/CFU
LOCATION: Land R/O Greenford Road, Harrow
APPLICANT: Gillett Macleod Partnership for Mr G Birch
PROPOSAL: Demolition of 32 and 34; redevelopment to provide 10 flats in detached 2 storey building and 1 detached 2 storey house with access and parking
DECISION: REFUSED permission in accordance with the development described in the application and submitted plans, for the reasons reported.

LIST NO: 1/02 **APPLICATION NO:** P/2537/05/CRE
LOCATION: 16-28 Bonnersfield Lane, Harrow
APPLICANT: The Carl Fisher Partnership for Roger Bunting
PROPOSAL: Renewal of Permission: E/786/00/FUL: 3/4 storey building to provide 14 flats, access and parking (resident permit restricted)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 1/03 **APPLICATION NO:** P/2328/05/CFU
LOCATION: 14-20 High Street, Wealdstone
APPLICANT: Hephher Dixon for Genesis Housing Group
PROPOSAL: Redevelopment: 57 flats, 1 retail unit in 2 x 5/6 storey blocks; parking and access off Palmerston Road (resident permit restricted)
DECISION: WITHDRAWN.

LIST NO: 1/04 **APPLICATION NO:** P/2395/05/CFU
LOCATION: 50-54 Northolt Road, South Harrow
APPLICANT: Greendev (Harrow) LLP
PROPOSAL: Redevelopment: part 3/5/6 storey building to provide 26 flats, access and parking (resident permit restricted)
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reason:

- (i) The proposed development, by reason of excessive size, bulk and site coverage by buildings, would not respect the scale and massing of the neighbouring properties on Shaftesbury Avenue, would amount to an overdevelopment of the site, and would be overbearing, to the detriment of the neighbouring residents at 3/5 Shaftesbury Avenue and the character of the locality.

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

(2) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan, Mrs Joyce Nickolay and Thornton wished to be recorded as having voted for the decision to refuse the application;

(3) Councillors Bluston, Choudhury, Idaikkadar, Thammiah and Anne Whitehead wished to be recorded as having voted against the decision to refuse the application].

(4) the Group Manager (Planning and Development) had recommended that the above application be granted].

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/2245/05/DFU

LOCATION: 45 Marlborough Hill

APPLICANT: Mr N I Sadiq

PROPOSAL: Conversion of dwellinghouse to 2 self-contained flats including single storey side/rear extension (resident permit restricted)

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

[Notes: (1) During the discussion on the above item, it was moved and seconded that the application be refused for the following reason:

- (i) The proposal represents an over intensive use of the property to the detriment of the neighbouring residents and will give rise to disturbance and the loss of amenity associated with the creation of an additional dwelling.
- (ii) The proposal is under provision on parking, offering only one off street parking space, which will give rise to excessive pressure on the already permit restricted area to the detriment of the amenities of the surrounding roads and properties.

Upon being put to a vote, this was not carried;

(2) the substantive motion to grant the above application was carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted against the decision to grant the application].

LIST NO: 2/02 **APPLICATION NO:** P/2037/05/CFU

LOCATION: 121-123 Byron Road, Wealdstone

APPLICANT: Alan Cox Associates for Cairnpark Properties Ltd

PROPOSAL: Redevelopment construction of 2 storey block of 9 flats with accommodation in roof, rear access and parking (resident permit restricted)

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following amendments to the conditions:

Condition 4 to be amended to read:

“Landscaping to be approved. Such details to include particular emphasis on screening to the flank boundaries of the rear garden areas”.

New Condition 12 to read:

“No development shall take place until a plan indicating the position, height, design and luminance of lighting to the rear car parking area has been submitted to, and approved in writing by, the local planning authority. Such details to comprise low level bollard type lighting. The development shall be carried out in accordance with the approved details and shall thereafter be retained. REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

(See also Minute 1048)

LIST NO: 2/03 **APPLICATION NO:** P/1829/05/DFU
LOCATION: 139 Stanmore Hill, Stanmore
APPLICANT: Kishore Karia for Dr Hatim Kapadia
PROPOSAL: Two storey rear extension; double garage at rear; 1 vehicle crossover at front
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/04 **APPLICATION NO:** P/2433/05/CFU
LOCATION: Headstone Manor Recreation Ground, Pinner View
APPLICANT: Harrow Council, Urban Living
PROPOSAL: Construction of temporary silt lagoons (associated with de-silting of moat)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

LIST NO: 2/05 **APPLICATION NO:** P/2449/05/DFU
LOCATION: 12 Warham Road, Harrow
APPLICANT: David R Yeaman & Associates for Mr J Cooper
PROPOSAL: Single storey rear extension, rear dormer window and conversion to two self contained flats
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: The Committee noted the correction to the description, as set out in the Addendum].

LIST NO: 2/06 **APPLICATION NO:** P/2476/05/CFU
LOCATION: Cornerways, 13 South View Road, Pinner
APPLICANT: Mr and Mrs A Watkinson
PROPOSAL: Renewal of Permission WEST/649/01/FUL: Two storey side to rear extension
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Note: The Committee noted the correction to the description, as set out in the Addendum].

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

LIST NO: 4/01 **APPLICATION NO:** P/2546/05/CNA
LOCATION: 158 Burnt Oak Broadway, Edgware
APPLICANT: London Borough of Barnet

PROPOSAL: Consultation: Details of access, siting, design, external appearance of residential phase, pursuant to outline permission

DECISION: RAISED NO OBJECTIONS to the development as set out in the application.

[Note: The Committee noted that the development proposal had been considered by Barnet Council and refused by them for the reasons set out in the Addendum].

LIST NO: 4/02 **APPLICATION NO:** P/2660/05/CNA

LOCATION: 158 Burnt Oak Broadway, Edgware

APPLICANT: London Borough of Barnet

PROPOSAL: Consultation: Details of access, siting, design/external appearance of residential phase, pursuant to outline permission (duplicate)

DECISION: RAISED NO OBJECTIONS to the development as set out in the application.

[Note: The Committee noted that the development proposal had been considered by Barnet Council and refused by them for the reasons set out in the Addendum].

SECTION 5 – TELECOMMUNICATIONS DEVELOPMENTS

LIST NO: - **APPLICATION NO:** P/2593/05/CDT

LOCATION: Stanmore Cricket Club, The Common, Stanmore

APPLICANT: LCC Development Services

PROPOSAL: Determination: Installation of 15m high imitation flagpole phone mast and equipment cabinets

DECISION: (1) RESOLVED that prior approval of details of siting and appearance is required.

(2) REFUSED approval of details of siting/appearance for the following reasons:

- (i) The proposal, by reason of excessive size and unsatisfactory siting, would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the surrounding locality.

[Notes: (1) The Group Manager (Planning and Development) had recommended that the above application be granted;

(2) the officer's report for the above application had been circulated on the Second Addendum].

(See also Minute 1041)

LIST NO: - **APPLICATION NO:** P/2776/05/CDT

LOCATION: Land at Roundabout of Streatfield Road, Harrow

APPLICANT: T Mobile

PROPOSAL: Installation of a 10m high imitation telegraph pole and 2 equipment cabinets

DECISION: (1) RESOLVED that prior approval of details of siting and appearance is required.

(2) REFUSED approval of details of siting/appearance for the reasons and informative reported.

[The officer's report for the above application had been circulated on the Second Addendum].

LIST DATE: 21.12.05

APPEALS BEING DEALT WITH

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	QUESTIONNAIRE DUE/SENT	STATEMENT DUE	SITE VISIT DATE/TIME
15 & 15A Parkfield Road	3399	KMS	Sent 02.12.05	26.12.05	
7 Stroud Gate, Harrow	3400	RM2	Sent 02.12.05	29.12.05	
Orchard End, Nugents Park	3402	RM2	Sent 02.12.05	03.01.06	
9 Broadfields, Harrow	3403	Del(w)	Sent 06.12.05	04.01.06	
258 Torbay Road, Harrow	3405	KMS	Sent 09.12.05	05.01.06	
302-306 Uxbridge Road	3406	RJS	Sent 21.12.05	12.01.06	
44 College Hill Road, Harrow Weald	3407	TEM	Due 21.12.05	18.01.06	
74 Uxbridge Road, Harrow Weald	3408	DT	Due 23.12.05	20.01.06	
1 Butler Avenue	3409	PDB	Due 26.12.05	23.01.06	
79 Pinner Hill Road	3410	SW2	Due 29.12.05	26.01.06	
408 Uxbridge Road, Hatch End	3411	OH	Due 29.12.05	26.01.06	

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
15 Gordon Avenue	3288	TW	Sent 11.04.05	14.12.05	Plng Conf. Room
Harrow Hospital	3303	TW	Sent 26.01.05	07.02.06	Plng.Conf Room
The Gardens, r/o Pinner Road	3309	TW	Sent 02.03.05	01.02.06	Plng Conf Room
22 Devonshire Road	3311	AMH	Sent 15.03.05		
21-23 Woodhall Drive, Pinner	3316	JH	Sent 23.03.05		
Sunningdale, London Road, Harrow on the Hill	3318	RS	Sent 07.04.05		
31 Northumberland Road, North Harrow	3328	PDB	Sent 24.05.05		
	3359		Sent 30.08.05		
239 Kenton Lane, Harrow	3335	MRE	Sent 28.06.05		
R/o 32 High Street, Pinner	3338	PDB	Sent 20.07.05		
21 Church Road, Stanmore (LB & enf)	3343	AB	Sent 05.08.05		
	3320	KB	Sent 19.04.05		
85 & 87 London Rd	3351	DT	Sent 18.08.05		

56 Potter Street, Pinner	3356	OH	Sent 20.09.05	
Garages Adj to 24 and 25 Malcolm Court	3377	OH	Sent 20.10.05	
Garages adj. To 1 & 2 Malcolm Court	3378	OH	Sent 20.10.05	
8 Wakehams Hill	3389	PDB	Sent 15.12.05	
25 Elms Road, Harrow	3412	DT	Due 30.01.06	

PUBLIC INQUIRIES	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	INQUIRY DATE	LOCATION
R/O Chester Court, Sheepcote Road	3314	RS	Sent 15.03.05	21.03.06 (1 day)	C.Chamber
19 & 21 R/O 11-29 Alexandra Avenue	3375	RJS	Sent 05.10.05		
23 High Street, Wealdstone	3376	RS	Sent 16.10.05	01.08.06 (1 day) off	

APPEALS AWAITING DECISION

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	STATEMENT SENT	FINAL COMMENTS DUE <small>(LPA & APPELLANT ONLY)</small>	SITE VISIT DATE/TIME
20 Fairview Crescent, Harrow	3263	KS	05.01.05	Expired	09.05.05 @ 11:45
45 St. Margarets Avenue, South Harrow	3296	KMS	06.01.05	Expired	09.05.06 @ 11:00
19&21 & R/O 11-29 Alexandra Avenue	3300	TW	15.02.05	Expired	09.05.04 @ 10:15
133 Christchurch Avenue, Kenton	3333	ML1	16.06.05	Expired	
48 South Parade, Mollison Way	3345	AMH	29.06.05 (q)	Expired	
311a Rayners Lane, Pinner	3337	KMS	05.07.05	Expired	02.08.05 @ 12:30
R/o 613 Kenton Lane	3358	AMH	26.08.05	Expired	
220 Shaftesbury Avenue, Harrow	3354	KMS	06.09.05	Expired	19.10.05 @ 13:00
47 Buckingham Road	3342	MRE	06.09.05	Expired	04.10.05 @ 12:00
9 Carrington Square	3344	GW	06.09.05	Expired	
NTL Broadcast trans stn, Gordon Ave	3371	SC	19.09.05	Expired	
Kenton Tel. Exchange, 9 Kenton Pk Parade	3372	CM	19.09.05	Expired	
S.Harrow Tel Exchange, Northolt Rd	3373	SC	19.09.05	Expired	
56 Lake View, Edgware	3379	MRE	19.09.05(q)	Expired	
77 Minehead Road	3384	PDB	25.10.05	Expired	

2 Chestnut Drive	3380	RM2	04.11.05	Expired
42 Beatty Road	3381	Del (e)	09.11.05	Expired
134 College Hill Road	3382	SL2	08.11.05	Expired
149 High Street	3383	RB3	08.11.05	Expired
25-28 Belmont Circle	3385	TEM	14.10.05	Expired
209-213 Station Road, Harrow	3386	CM	14.10.05	Expired
R/0 111 High Street, Wealdstone	3387	MRE	24.11.05	Expired
147 Harrow View, Harrow	3388	JP	22.11.05	Expired
159 Village Way	3392	RM2	09.11.05(q)	27.12.05
2 Ashcroft, Pinner	3401	CM2	02.12.05(q)	18.01.05
218 Shaftesbury Avenue	3404	RJS	02.12.05(q)	26.01.05
Junction Shaftesbury Avenue & Welbeck Rd	3390	SC	02.12.05	26.12.05
Highway Lnd - Sudbury Hill, Opp South Hill Ave	3395	RJS	02.12.05	27.12.05
Land outside 48 Courtenay Avenue	3391	SC	06.12.05	27.12.05
4 Eastcote Lane	3393	RM2	08.12.05	05.01.06
Katies Kitchen, 4 Forward Drive	3394	TEM	12.12.05	03.01.06
88-92 High Street, Wealdstone	3396	SC	13.12.05	03.01.06
45 Whitchurch Gardens	3397	JP	19.12.05	09.01.06
Wards P.H, 38/40 Lowlands Road	3398	TEM	20.12.05	10.01.05

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
Eastcliff, Brookshill Drive, Harrow Weald	3292	TEM	Sent 21.01.05	07.12.05	Plng Conf. Room

PUBLIC INQUIRIES	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	INQUIRY DATE	LOCATION
102 High Street (Discontinuance Appeal)	3239	FS	Sent 04.03.05	21.06.05 (2 days)	

DECISIONS (since 01.10.05)

	APPEAL REF:	OFFICER	DECISION	DATE
9-17 Manor Road, Harrow	3261	TW	ALLOWED	04.10.05
13-17 Manor Road, Harrow	3331	TW		
Garages, Summit Close, Edgware	3349	RJS	DISMISSED	05.10.05
30 Cavendish Drive	3352	SL	DISMISSED	06.10.05
The Bothy, Old Redding	3355	CM	DISMISSED	07.10.05
27 Corbins Lane	3339	OH	ALLOWED	12.10.05
25A Masons Avenue, Harrow	3250	PDB	ALLOWED	17.10.05
81 Roxeth Hill (Enforcement)	3308	RJS	DISMISSED	18.10.05
9 Bridge Street, Pinner	3363	KMS	ALLOWED	24.10.05
9 Thorndyke Court	3357	PDB	DISMISSED	25.10.05
2-4 Uppingham Avenue, Stanmore	3360	PDB	ALLOWED	25.10.05
Green Verges, Priory Drive	3364	CM	ALLOWED	28.10.05
Portman Hall, Old Redding (enf)	3332	GDM	DISMISSED	31.10.05
16 Harrow View, Harrow	3350	KMS	DISMISSED	31.10.05
146 Pinner Hill Road, Pinner	3368	RM2	DISMISSED	31.10.05
25 Raynton Close, Harrow	3366	PDB	DISMISSED	03.11.05
27 Raynton Close, Harrow	3367	PDB	DISMISSED	03.11.05
3 Anselm Road, Hatch End	3353	TEM	DISMISSED	03.11.05
7/9 Stanmore Hill	3290	AMH	WITHDRAWN	03.11.05
168-178 Kenton Road, Harrow	3362	TEM	DISMISSED	04.11.05
Land opp 102 West End Lane.	3334	RJS	DISMISSED	08.11.05
47 Newnham Way, Kenton	3370	MRE	ALLOWED	08.11.05
Timber Carriage Public House, 19 Northolt Rd	3319	RS	WITHDRAWN	11.11.05
294 Uxbridge Road, Hatch End	2197	RS	DISMISSED	30.11.05
44-46 Radnor Road, Harrow	3365	RJS	ALLOWED	30.11.05
85 Capthorne Avenue	3369	OH	DISMISSED	14.12.05

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
78 CECIL ROAD Demolish unauthorised structure	ENF/339/01/EAST LP/KW/PEN-12858	GW	12-September-01	17-Oct-01 (Legal Contact Officer-JF)	15-Feb-02	26-Mar-02	Hearing. 19-Aug-03.	1 Month	26-Apr-02 27/9/03	Planning application received. Being determined. Refused 01-Aug-02. Legal to write to developer giving him a month to comply. Letter sent. 18.10.02. Prosecute for non-compliance. Appeal now entered against the refusal of permission held in abeyance until result. Prosecution statement with Borough Solicitor for checking. Letter for action sent by Borough Solicitor. Borough Solicitor forwarding papers to Court. Court case deferred till 7 Apr 04. Court case deferred to 28-APR-04. Court adjourned to 19 May 2004 for Committal hearing. Court issued a warrant with no bail as the defendant failed to attend. Borough solicitor to appoint investigator to provide information to the Police. Notification sent to owner at the site re Council's option to take direct action. Enf Officer to prepare prosecution statement. Land owner could not be traced, enf officer to prepare report to DC Committee recommending future action.
482 KENTON ROAD KENTON	ENF/205/EAST LP/KW/PEN-13005/bw	RJP	11-September-02	16-Sep-02 16-Jul-03 (Legal Contact Officer-DG)	23-Jan-04			1 month		One shed now removed. New Notice to be prepared. New authority now signed. Borough Solicitor preparing notice. Changes to the property require a new report to be prepared to the Development Control Committee. Borough Solicitor to serve breach of condition notice. BCN served 23 January 2004. Borough Solicitor corresponding with owners solicitor. Site visit to be carried out then Enf Officer and Borough Solicitor to discuss the likelihood of success in Court. Enf. Officer to visit. Draft report to DC Committee prepared.
Erection of two sheds and use of and garage for non domestic storage, BCN.										
9 WEST DRIVE GARDENS HARROW	EAST/631/02/FUL ENF/480/02/EAST	GDM	20-September	20-Sep-02	11-Feb-03	21-Mar-03	Hearing 03-Jun-03	10 months	21-Jan-04 21-Mar-04	Notice to be served as soon as possible. Notice of appeal served.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

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Roof alterations without planning permission	LP/MW/PEN13018		-02						26-APR-04	Appeal Dismissed Insp letter dated 20-Jun-03. Owners have offered to do works required, starting in Sept 2004. Site inspected in Sept 04, no works carried out. Planning app P/3293/04/DFU submitted. App refused. Borough Solicitor sent letter before action. Enf Officer to prepare prosecution statement. Enf officer visiting site and preparing further action.
93 STANMORE HILL STANMORE New Shop front	ENF/530/02/EAST	GDM	Dec-02 14- January- 04	13-Dec-02 (Legal Contact Officer- AK)	19-Apr-04				12-DEC-04	Notice in draft. App now received to remedy. App refused, enforcement officer pursuing investigation. Borough Solicitor preparing notice. Report to Development Control Committee on 14 Jan 2004. Borough Solicitor preparing notice. Notice served. Site visited and notice appears not to have been complied with. Enf Officer wrote to owner. Enf Officer to draft prosecution statement. Negotiations have resulted in the provision of a new shop front, to the satisfaction of the Council's Conservation Team. No further action required.
8 KENTON ROAD HARROW Use of property as 5 self contained flats	ENF/326/02/EAST	GDM	15- January- 03	21-Jan-03 (Legal Contact Officer- CML)						To be the subject of a report to Committee. Reported to Development Control Committee on 5 November 2003, and subject to committee decision. Planning application submitted for change of use to 5 flats, P/719/04/DFU.
81 Roxeth Hill Harrow on the hill Erection of roof	ENF/24/05/P Appeal 3308	DMC		(Legal Contact Officer- AK)	8-Dec-04	14-Jan-05	Hearing 18-Oct-05	9 Months	Compliance date 19/7/06	AB / RD checking when roof was erected. Borough Solicitor preparing notice. Notice prepared. Appeal part allowed. The property owner is required to removed roof extension and reinstate the roof to its former condition or build in accordance with planning permission P/93/05/DFU the compliance period has been varied from 3

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
154 Eastcote Lane South Harrow	ENF/317/03/P	GW	17-March-04	23-Mar-04 (Legal Contact Officer-CML)	27-may-04	30-Jun-04		3 Months	01-Oct-04	months to 9 months. Appeal received, appeal not valid. Section 78 appeal submitted, awaiting outcome. S78 appeal dismissed, owners asked to provide details of timescale for compliance with notice. Agent looking into how to alter development to comply with notice. Draft prosecution statement prepared.
Single storey rear extension and raised patio										
REGENT HOUSE, 21 CHURCH ROAD, STANMORE.	ENF/442/02/EAST	CJF AND AB	10-July-03	16-Jul-03 (Legal Contact Officer-DG)	13-Jan-05	23-Feb-05	Date for hearing not yet allocated.	3 Months	24-May-05	An incomplete application for the screening of the units was submitted in Nov 2004. The applicant is looking to provide further information to make this application valid. Appeal submitted.
Erection of Four Air Con Units on a Listed Building Broomhill Mount Park Road Hoth	ENF/625/03/P	GDM	8-December-04	(Legal Contact Officer-DG)	7-FEB-05	11-MAR-05	Written Representations	3 Months	09-APR-05 09-DEC-05	Appeal submitted. Appeal determined and upheld. Enforcement officer to monitor conditions.
Compliance with condition 8 Portman Hall Old Redding Harrow	ENF/96/03/P	GDM	21-April-04	28-Apr-04 (Legal Contact Officer-AK)	7-APR-05	8-MAY-05	Hearing 18- October-05	3 Months Varied to 6 months at appeal.	9-Aug-05 1-May-06	Draft notice prepared. Opinion on draft enforcement notice being sought from Counsel. Notice served. Appeal submitted. Appeal dismissed, notice varied to allow 6 months for compliance.
Erection of fence on roof 35 Orchard Grove Edgware	ENF/483/04/P	RJP (report)	17-May-05	7-June-05 (Legal Contact Officer-DG)	24-Nov-05	04-Jan-06		6 months	5-Jul-06	Section 330 notice served on 6-July-05. Notices were returned unopened. Enf. notices issued.
Extensions over 70 cubic metres. 33 Orchard Grove Edgware	ENF/484/04/P	RJP (report)	17-May-05	7-June-05 (Legal Contact Officer-DG)	24-Nov-05	04-Jan-06		6 Months	5-Jul-06	Section 330 notice served on 6-July-05. Notices were returned unopened. Enf. notice issued.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Extensions over 70 cubic metres. 61 Oxley Road Harrow	ENF/425/04/P	DMc	17-May-05	7-June-05 (Legal Contact Officer-CML)	20-Jun-05	14- Nov-05		6 months	15-May-06	Section 330 notice served on 20-June-05. Enf notice issued.
Erection of rear extension and wall 46 Repton Road, Kenton	ENF/565/04/P	DMc	27-July-05	10-Aug-05 (Legal Contact Officer-CML)	27- Oct-05	02- Dec-05		3 months	03-Mar-06	S330 notice served on 25-August-05.
Unauthorised change of use to a builders yard. 22 Walton Road, Harrow	ENF/530/03/P	RJP (report)	27-July-05	10-Aug-05 (Legal Contact Officer-CML)	17-Oct05	28-Nov-05		3 months	01-Mar-06	S330 notice served on 22-September-05
Unauthorised construction of a single storey rear extension and front porch.										
Prosecutions for unlawful advertisements										
ENFORCEMENT NOTICES AUTHORISED, AWAITING SERVICE										
25 LAKE VIEW, EDGWARE. HA7 4SF	ENF/33/03/P	DMC	22-April-03	16-Jul-03 (Legal Contact Officer-AK)						S330 notices served, Borough Solicitor preparing notice. Planning application lodged to vary condition. PP granted. Property changed hands. Enf Officer negotiating with new owner.
Breach of Conditions										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
4 Elm Park Stanmore	ENF/297/03/P	RJP	17-March-04 7-January-06	23-Mar-04 27-Jul-04 (Legal Contact Officer-CML)						S 330 served. Reported to DCC again with retrospective planning application. Application refused. New report to be prepared by Enf Officer. New report drafted, to be placed before DC Committee on 7 Dec 2005.
COU from 3 flats to 3flats and a dwelling house Harrow Hospital 88 Roxeth Hill Harrow		GDM	9-November-04	(Legal Contact Officer-DG)						New report required.
Erection of sales building 613 Kenton Lane, Kenton	ENF/373/05/P ENF/402/05/P	RJP (report)	6-June-05	30-June-05 (Legal Contact Officer-CML)						S330 notices served on 7 Sept 05 and 11 Oct 05. Draft notice prepared.
Erection of storage building and use of property. 343 High Road, Harrow Weald	ENF/968/04/P	RJP (report)	27-July-05	02-Sept-05 (Legal Contact Officer-CML)	17-Nov-05	21-Dec-05		3 Months	22-Mar-06	S330 notice served on 22-September-05. Notice issued.
Storage of static caravan. 2 Weald Lane, Harrow Weald	ENF/44/04/P	DMc	27-July-05	10-Aug-05 (Legal Contact Officer-CML)	1-December-05	11-January-06		3 Months	11-April-2006	S330 notice served on 25 August 2005 and 6 September 2005. Enforcement notice issued.
Unauthorised installation of extractor duct. 47 Turner Road, Edgware	ENF/383/03/P	RJP (report)	7-September-05	16-Sep-05 (Legal Contact Officer-CAM)						S330 notice served on the 16-November-05.
Unauthorised construction of a rear conservatory and side extension. 1 and 1A Buckingham Road, Harrow	ENF/147/04/P	RJP (report)	7-September-05	16-Sep-05 (Legal Contact Officer-CAM)						S330 notice served 23-Nov-05.
Unauthorised construction of a rear building in the garden.										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
56 Lake View, Edgware	ENF/989/04/P	RJP (report) RJP (officer)	11-October-05	13-Oct-05 (Legal Contact Officer-DG)						S330 notice served on 17-October-05. Refusal of planning permission appealed against.
Unauthorised construction of a front porch. Copse Farm, 2 Brookshill Cottages, Dairy Cottages, Brookshill Drive, Harrow	ENF/224/04/P	RJP (report) GDM (officer)	11-October-05	13-Oct-05 (Legal Contact Officer-CAM)						Section 330 notice served on 4-November-05.
Erection of fencing 147 Roxeth Green Avenue, Harrow	ENF/731/04/P	GM (report) RJP (officer)	11-October-05	14-Oct-05 (Legal Contact Officer-DG)						Section 330 served on 17-October-05. Incorrectly reported to DC Committee, new report required.
Covered area at the rear of the dwelling			8-February-05							
875 Field End Road, Harrow	ENF/43/04/P	RJP (report)	9-November-05	28-Nov-05 (Legal Contact Officer-CM)						Section 330 served on 15-December-05
Unauthorised construction of a single storey rear canopy.										
79 Pinner Hill Road, Pinner	ENF/183/05/P	DMc	9-November-05	28-Nov-05 (Legal Contact Officer-DG)	6-December-05	27-January-06		3 months	27-April-06	Section 330 served on 29-November-05 S330 served on 15-December-05 Section 172 notice served on 6-December-05
Unauthorised construction of a garage forward for the dwellinghouse.										
16A Whitchurch Lane, Kenton	ENF/502/04/P	DMc	7-December-05	9-December-05 (Legal Contact Officer-DG)						
Unauthorised installation of gantry										
Hill House, 7 Mount Park Road, Harrow on the Hill	ENF/775/04/P	DMc	9-November-05	28-Nov-05 (Legal Contact Officer-CM)						
Conversion of single family dwelling house and garage into 5 flats										
131 Malvern Avenue, Harrow	ENF/775/04/P	RJP (report)	7-December-05	9-December-05						

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	EN/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Unauthorised construction of a front porch 67 Argyle Road, Harrow	ENF/78/04/P	RJP (report)	7- December -05	9- December -05						
Unauthorised construction of a raised rear deck and railings 108 Waxwell Lane, Pinner	ENF/647/04/P	RJP	7- December -05	9- December -05						
Unauthorised construction of a raised rear deck and trellis 38 Headstone Gardens, Harrow	ENF/1006/04/P	RJP (Report) GW (Case Officer)	7- December -05	9- December -05						
Unauthorised construction of gates and railings over 1 metre in height adjacent to the highway 83B Hindes Road, Harrow	ENF/45/05/P	RJP (Report)	7- December -05	9- December -05 (Legal Contact Officer- DG)						
Unauthorised construction of gates, walls, railings and pillars Ravensholt, 12 Mount Park Road, Harrow on the Hill	ENF/700/04/P	RJP	11- January- 06							
Unauthorised erection of a wire fence with concrete posts and reed panelling High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner	ENF/353/03/P	RJP	8- February- 06							Report drafted
Unauthorised change of use from Class B1 to Class A1 4 Elm Park, Stanmore	ENF/379/04/P	RJP (Report) DMC (Case officer)	11- January- 06							
Unauthorised conversion of a detached garden building at the rear of the property 63 College Road, Harrow Weald	ENF/297/03/P	RJP (Report)	11- January- 06							
Unauthorised construction of a detached garden building in the	ENF/159/05/P	RJP (Report) GW (Case)	8- February- 06							Report drafted

ENFORCEMENT NOTICES AWAITING COMPLIANCE 11 January 2006

ADDRESS	EN/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
rear garden 147 Roxeth Green Avenue, Harrow	ENF731/04/P	Officer) RJP (Report) RJP (Case Officer)	8- February- 06							Report drafted awaiting comments
Unauthorised construction of a rear extension at the rear of the dwellinghouse 19 Victoria Terrace, Harrow on the Hill	ENF/809/04/P	RJP (Report)	8- February- 06							Report drafted
Unauthorised installation of two rear windows in north elevation of dwellinghouse 16 Carmelite Road, Harrow Weald	ENF/20/05/P	RJP (Report)	8- February- 06							Report drafted
Unauthorised conversion of a single family dwellinghouse to two single family dwellinghouses										



Meeting:	Development Control Committee
Date:	11 January 2006
Subject:	1 Wildcroft Gardens, Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of gates, walls, pillars and railings adjacent to the highway over one metre in height at 1 Wildcroft Gardens, Harrow, and seeks authority to instigate planning enforcement action for their removal.

The development does not constitute permitted development as the gates, walls, pillars and railings exceeds 1 metre in height above the adjacent highway. The front gates, walls, pillars and railings, by reason of prominent siting, height and design, have a discordant, obtrusive appearance in the streetscene and detract from the setting of the dwelling, to the detriment of the visual amenity and character of the locality. The development is contrary to policies SD1, D4 and D5.

Decision Required

<p>Recommended (for decision by the Development Control Committee)</p> <p>The Director of Legal Services be authorised to:</p> <p>(a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:</p> <p>(b) (i) The demolition and/or reduction of the gates, walls, pillars and railings to a height not exceeding 1 metre above ground level.</p>

(ii) The permanent removal of the materials arising from compliance with the first requirement (b) (i) from the land.

(c) [(b)] (i) and (ii) should be complied with within a period of (1) month from the date on which the Notice takes effect.

(d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.

(e) Institute legal proceedings in event of failure to:

(i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

(ii) comply with the Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that the amenities of the neighbouring residents would continue to be harmed.

Section 2: Report

Brief History, Policy Context (including Previous Decisions)

- 2.0 - P/2486/04/DFU - First floor side extension; granted 15/10/2004
- EAST/980/99/FUL - Single and first floor rear extension; refused 22/11/1999
- Appealed planning decision EAST/980/99/FUL – Single and first floor extension; allowed 4/9/2000

Background Information and Options Considered

2.1 The property is a large two storey detached single family dwelling house located on the northern side of Wildcroft Gardens, Harrow. The gates, walls, pillars and railings are located adjacent to the highway leading into an area of hardstanding. Wildcroft Gardens has a high level of streetside greenness and simple boundary treatments usually hedgerow and/ or low level fencing.

2.2 The Development is contrary to the following policies:

-Policy D4 *The Standard of Design and Layout* of the Harrow Council Unitary Development Plan 2004.

-This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Harrow Council Unitary Development Plan 2004.

-Policy D5 *New Residential Development – Amenity Space and Privacy* of the Harrow Council Unitary Development Plan 2004.

2.3 Gates, walls, pillars and railings have been constructed adjacent to the highway of 1 Wildcroft Gardens. The gates, walls and railings are 2.16 metres in height the pillars are 2.23 and 2.35 metres in height. It is considered that the gates, walls, railings and pillars have a discordant, obtrusive appearance in the streetscene and detract from the setting of the dwelling, to the detriment of the visual amenity and character of the locality.

The alleged breach of planning control

2.4 Without planning permission, the erection of gates, walls, railings and pillars in excess of 1 metre in height adjacent to the highway.

Reasons for issuing the notice

2.5 It appears to the Council that the above breach of planning control occurred within the last 4 years.

- 2.6 The gates, walls, railings and pillars adjacent to the highway, by reason of their prominent siting, height and design, have a discordant, obtrusive appearance in the streetscene and detract from the setting of this dwelling, to the detriment of the visual amenity and character of the locality contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.
- 2.7 The Council does not consider that Planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

- 2.8 -Ward Councillors copied for information.
-Harrow Council Legal Services
-Harrow Council Financial Service

Financial Implications

- 2.9 None.

Legal Implications

- 3.0 As contained in the report.

Equalities Impact

- 3.1 None.

Section 17 Crime and Disorder Act 1998 Considerations

- 3.2 None.

Section 3: Supporting Information/ Background Documents

P/2486/04/DFU - First floor side extension.

EAST/980/99/FUL - Single and first floor rear extension

Appealed planning decision EAST/980/99/FUL – Single and first floor extension



Meeting:	Development Control Committee
Date:	11 January 2006
Subject:	High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to unauthorised Change of use from Class B1 to Class A1 (use as a retail showroom) at High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner, and seeks authority to initiate enforcement action.

The use of the premises as a Class A1 retail showroom is contrary to the provisions of Policy EM15 of the Harrow Council Unitary Development Plan 2004, resulting in an unacceptable loss of Class B1 floor space, which should be retained to maintain a flexible range of employment generating uses. Planning permission for the continued use of the property as a retail showroom was refused. The development is contrary to policies SD1, SD2, SEM2, D11, D14, EM15 and EM22 of the Harrow Council Unitary Development Plan 2004.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) Cease the use of the land as a retail showroom (Class A1).

- (ii) The permanent removal all kitchen displays from the land.
- (c) [(b)] (i) and (ii) should be complied with within a period of (3) months from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
 - (i) Supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;
 - and/or
 - (ii) Comply with the Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that the amenities of the neighbouring residents would continue to be harmed.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

2.0 P/2390/04/DCO - Continued use as retail showroom (class A1), Refused on 27 October 2004. The reasons for refusal are as follows;
“The use of the premises as a Class A1 retail showroom (which would be more appropriately sited in a district or local centre) is contrary to the provisions of Policy EM15 of the Harrow Unitary Development Plan resulting in an unacceptable loss of Class B1 floor space, which should be retained to maintain a flexible range of employment generating uses”.

LBH/31132 - Use of barn as offices separate from use of Folly (Deletion of Condition 9 of P/P LBH/24823). Granted 6 November 1986.

LBH/24823 Change of use of High Barn from storage to studio with storage below and ancillary parking, Granted 23 February 1984.

Background Information and Options Considered

2.1 The subject premises occupies the ground floor of High Barn a 2-storey, Grade 2 listed building on the western side of Pinner Hill Road. Pinner Hill Farm comprises of a group of former farm buildings with a mix of residential and Class B1 uses. The premises has a B1 use classification but is currently being used as A1 kitchen sales showroom. The site is situated within the Pinner Hill Estate Conservation Area. The change of use from Class B1 to Class A1 is contrary to the following policies:

2.2 The change of use is contrary to the following policies:

-Policy SD1 *Quality of Design* of the Unitary Development Plan 2004.

-Policy SD2 *Conservation Areas, Listed Buildings, Sites of Archaeological Importance, and Historic Parks and Gardens*.

-SEM2 *Hierarchy of Town Centres*.

-Policy D11 *Statutorily Listed Buildings*.

-Policy D14 *Conservation Areas*.

-Policy EM15 *Land and Buildings in Business, Industrial and Warehousing Use – Outside Designated Areas*.

-Policy EM22 *Environmental Impact of New Business Development*.

2.3 Due to the small supply of land for employment purposes in the Borough the loss of the site from Class B1 usage is only acceptable as stated in the policies if all alternatives have been fully considered, and retaining such uses, even in part, is demonstrated not to be economically viable, even in the longer term. If it is not viable for redevelopment of the site for entirely

Class B1 usage then the Council will favour a mixed-use scheme involving significant Class B1 elements. If such a scheme is proven to the Council's satisfaction not to be viable, only then will a non Class B use be considered. In the case of this site the use of the site was changed without the prior benefit of planning permission or demonstration that it was unfeasible to retail the previous use either wholly or in part. Therefore the change of use is contrary to the above policies.

The alleged breach of planning control

- 2.4 Without planning permission, the change of use of the premises from Class B1 to Class A1 kitchen retail showroom.

Reasons for issuing the notice

- 2.5 It appears to the Council that the above breach of planning control occurred within the last 10 years.
- 2.6 The use of the premises as a Class A1 kitchen retail showroom is contrary to the provisions of Policy EM15 of the Harrow Council Unitary Development Plan 2004 resulting in an unacceptable loss of Class B1 floor space, which should be retained to maintain a flexible range of employment generating uses. The change of use is also contrary to policies SD1, SD2, SEM2, D11, D14, EM15 and EM22.
- 2.7 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

- 2.8 -Ward Councillors copied for information.
-Harrow Council Environmental Health
-Harrow Council Legal Services
-Harrow Council Financial Service

Financial Implications

- 2.9 None.

Legal Implications

- 3.0 As contained in the report.

Equalities Impact

- 3.1 None.

Section 17 Crime and Disorder Act 1998 Considerations

- 3.2 None.

Section 3: Supporting Information/ Background Documents

P/2390/04/DCO Continued use as retail showroom (Class A1)

LBH/31132 Use of barn as offices separate from use of Folly (Deletion of Condition 9) of P/P LBH/24823.

LBH/24823 Change of use of High Barn from storage to studio with storage below and ancillary parking.

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Meeting:	Development Control Committee
Date:	Wednesday 11 January 2006
Subject:	4 Elm Park, Stanmore
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised conversion of a detached garden building to the rear of 4 Elm Park Stanmore into a small dwellinghouse and seeks authority to initiate enforcement action for its removal.

The Development Control Committee has already agreed enforcement action. This report updates the previous report submitted to committee as a result of the dismissal of the appeal on application P/1288/04/CCO.

Planning permission reference (EAST/1213/01/FUL) granted the conversion of a dwellinghouse to 3 flats with parking. 2 car parking spaces were located in the now converted garden building, and one parking space has been provided to the side, on an area which as part of the approved scheme should be laid to turf.

The conversion of the garden building into a dwellinghouse does not constitute permitted development. Planning permission for the retention of the converted dwellinghouse was refused, and a subsequent appeal was dismissed, on the basis that the 4 units result in an over-intensive use of the land, and contravenes policies SD1, D4, D5, SH1 and T13 of the Harrow Council's Unitary Development Plan 2004. The unauthorised development clearly fails to protect and safeguard the character and amenity of the surrounding residential area. It is therefore recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) Cease the use of the detached garden building as a single-family dwellinghouse;
(ii) The demolition of the front and internal ground floor walls, and removal of all internal fixtures and fittings
(iii) Return the use of the building to car parking as shown on plan 2572/10 of planning consent EAST/1213/01/FUL.
- (c) [(b)] (i), (ii) and (iii) should be complied with within a period of six (6) months from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
 - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;and/or
 - (ii) comply with the Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that harm would continue to be caused to the amenities of the occupiers of neighbouring properties.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.1 An appeal against the refusal to grant planning application (reference P/1288/04/CCO) for the retention of alterations to and use of an outbuilding as a separate dwelling, with two car parking spaces was dismissed 22 June 2005.
- 2.2 A planning application (P/1288/04/CCO) was submitted for the retention to alterations to and use of outbuilding as separate dwelling and car parking spaces; refused 30 July 2004.
- 2.3 A planning application (EAST/1213/01/FUL) was submitted for the conversion of a dwellinghouse into 3 flats with parking; granted 2 January 2002.

Background Information and Options Considered

- 2.4 The property is located on the western side of Elm Park, within the Stanmore District Centre and is occupied by a former detached dwellinghouse. The dwellinghouse has been converted under planning permission into 3 flats. There is a detached garden building located at the rear of the property approved for use as parking but has been converted without planning permission to a dwellinghouse.
- 2.5 The Development is contrary to the following policies:
 - Policy D4 *The Standard of Design and Layout* of the Harrow Council Unitary Development Plan 2004.
 - This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Unitary Development Plan 2004.
 - Policy D5 *New Residential Development – Amenity Space and Privacy* of the Harrow Council Unitary Development Plan 2004.
 - Policy SH1 *Housing Provision and Housing Need* of the Unitary Development Plan 2004.
 - Policy T13 *Parking Standards* of the Unitary Development Plan 2004.

- 2.6 The approved plans of planning permission EAST/1213/01/FUL show a detached garden building providing 2 car parking spaces, with landscaping to the side. The detached garden building has been converted to a single-family dwellinghouse and the landscaping area to the side has been surfaced with stone to provide one car parking space. The conversion of the garden building has reduced the number of car parking spaces available within the site. Whilst the site is close to Stanmore town centre it is considered that the amount of parking space provided does not comply with the Council's current criteria and as such is contrary to Policy T13 of the Harrow Council's Unitary Development Plan 2004.
- 2.7 The window to window distance from the kitchen of the garden house to the lounge window of the nearest flat is approximately 11.5m. This close distance results in overlooking that is detrimental to the amenities of residents, contrary to Policies SD1, D4 and D5 of the Unitary Development Plan 2004.
- 2.8 Amenity space should be located to the rear of developments, to protect the amenity of the users and adjoining property owners. The conversion of the detached garden building to a dwellinghouse results in a reduced amount of amenity space, of a lower value, with overlooking that is detrimental to the amenities of its authorised users (the occupiers of the three flats) and the occupiers of the dwellinghouse.
- 2.9 The Council's Supplementary Planning Guidance indicates that development should be designed to ensure adequate privacy for new and existing housing. People usually have a higher expectation from the rear of their dwellings and this should be taken into consideration when designing new development to minimise the potential for direct overlooking and loss of privacy to private garden areas. As a result of the development in question overlooking of the private garden area for the flats has considerably increased, as has overlooking of habitable rooms.

The alleged breach of planning control

- 3.0 Without planning permission, making a material change in the use of the land from 3 flats to 3 flats and a single family dwellinghouse.

Reasons for issuing the notice

- 3.1 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.2 The development reduces the existing off-street parking provisions and gives rise to increased on-street parking to the detriment of highway safety, contrary to Policy T13 of the Harrow Unitary Development Plan 2004.

- 3.3 The converted garden building, due to its position in relation to the adjoining flats and private open space, results in an inappropriate form of development and unacceptable level of overlooking of these properties and the private open space contrary to Policies SD1, D4, D5 and SH1 of the Harrow Unitary Development Plan 2004.
- 3.4 The Council do not consider that planning permission should be granted because planning conditions could not overcome these problems.

Consultation

- 3.5 -Ward Councillors copied for information
-Harrow Council Environmental Health
-Harrow Council Legal Services
-Harrow Council Financial Services

Financial Implications

- 3.6 There are no financial implications at this stage

Legal Implications

- 3.7 As contained in the report

Equalities Impact

- 3.8 None

Section 17 Crime and Disorder Act 1998 Considerations

- 3.9 None

Section 3: Supporting Information/ Background Documents

Planning application references:

P/1288/04/CCO: Retention to alterations to and use of outbuilding as separate dwelling and car parking spaces.

EAST/1213/01/FUL: Conversion of dwellinghouse to 3 flats with parking.

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