



**DEVELOPMENT CONTROL
COMMITTEE
WEDNESDAY 8 FEBRUARY 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 8 FEBRUARY 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 - 16)

That it be agreed that, having been circulated, the Chair be given authority to sign the minutes of the meeting held on 11 January 2006 as a correct record once they have been printed in the Council Bound Minute Volume.

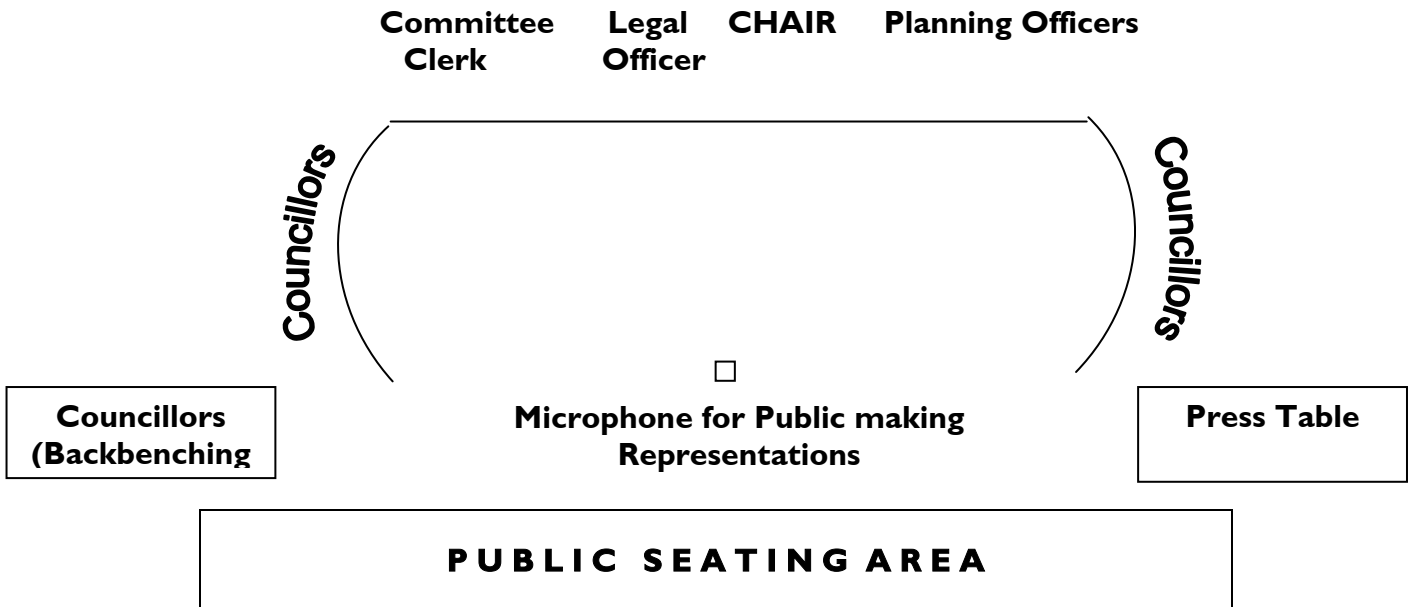
6. **Public Questions:**
To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).
7. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors.
8. **Deputations:**
To receive deputations (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 17 - 20)
Report of the Group Manager (Planning and Development).
FOR INFORMATION
- Enc. 13. **Enforcement Notices Awaiting Compliance:** (Pages 21 - 28)
FOR INFORMATION
- Enc. 14. **19 Victoria Terrace, Harrow on the Hill:** (Pages 29 - 38)
Report of the Group Manager (Planning and Development).
- Enc. 15. **Rear of 48 The Avenue, Harrow Weald:** (Pages 39 - 50)
Report of the Group Manager (Planning and Development).
- Enc. 16. **Ravensholt, 12 Mount Park Road, Harrow on the Hill:** (Pages 51 - 62)
Report of the Group Manager (Planning and Development).
- Enc. 17. **147 Roxeth Green Avenue, Harrow:** (Pages 63 - 72)
Report of the Group Manager (Planning and Development).
- Enc. 18. **63 College Road, Harrow Weald:** (Pages 73 - 84)
Report of the Group Manager (Planning and Development).
- Enc. 19. **31 Northumberland Road, North Harrow:** (Pages 85 - 106)
Report of the Group Manager (Planning and Development)
20. **Any Other Business:**
(which the Chair has decided is urgent and cannot otherwise be dealt with).

AGENDA - PART II - NIL

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**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 11 JANUARY 2006

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Janet Cowan
* Mrs Bath * Idaikkadar
* Billson * Miles
* Bluston * Mrs Joyce Nickolay
* Choudhury * Thornton

* Denotes Member present

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 1070 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1069. **Attendance by Reserve Members:**

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

1070. **Right of Members to Speak:**

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda items indicated:

Councillor Mrs Kinnear Planning Application 5/03

1071. **Declarations of Interest:**

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

- (i) Planning Application 1/05 and 2/04 – Cloisters Wood, Wood Lane, Stanmore
Councillor Choudhury declared a personal interest in the above related applications arising from the fact that he had been invited to the Hindu temple to attend celebrations. Accordingly, he would remain in the room and take part in the discussion and decision-making on these items.
- (ii) Planning Application 1/06 – Trinity Church Harrow, 89 Hindes Road
Councillor Bluston declared a personal interest in the above application arising from the fact that he was associated with the YMCA who managed the Welldon Centre and that he knew the Vicar of the Church. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (iii) Planning Application 1/06 – Trinity Church Harrow, 89 Hindes Road
Councillor Choudhury declared a personal interest in the above application in that he belonged to an organisation which also used the Welldon Centre. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (iv) Planning Application 2/01 – Canons Court, Stonegrove, Edgware
Councillor Marilyn Ashton declared a prejudicial interest in the above application arising from the fact that she knew the owners of the properties. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (v) Planning Application 2/11 – 20 Little Common, Stanmore
Councillor Marilyn Ashton declared a personal interest in the above application arising from the fact that she was acquainted with the agent. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.

- (vi) Planning Application 2/11 – 20 Little Common, Stanmore
Councillor Janet Cowan declared a personal interest in the above application arising from the fact that she was acquainted with the agent. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.
- (vii) Planning Application 2/14 – 188 Malvern Avenue
Councillor Mrs Joyce Nickolay declared a prejudicial interest in the above application arising from the fact that the applicant was a neighbour. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (viii) Planning Application 2/16 – The Pavilion at Whitchurch Playing Fields, Wemborough Road, Stanmore
Councillor Mrs Bath declared a prejudicial interest in the above application arising from the fact that she was Chair of the Governors of an adjoining school. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (ix) Planning Application 2/20 – 373-375 Station Road, Harrow
Councillor Choudhury declared a prejudicial interest in the above application arising from the fact he had been a Member of the Licensing Panel that had determined the licensing application. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.

[Note: Planning Application 2/20 was subsequently deferred at officer's request to give further consideration to the proposals].

1072. **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.
5. Minutes	The minutes of the meeting held on 19 December 2005 had not been finalised at the time the agenda was printed and circulated.
14. Cost of Fees for High Hedge Formal Complaints	This report had not been available at the time the agenda was printed and circulated.
19. Urgent Non-Executive Decision – Appeal: 19 & 21 & R/O 11-29 Alexandra Avenue, South Harrow	This report had not been available at the time the agenda was printed and circulated.

and

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

1073. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meetings held on 7 December 2005 and 19 December 2005, those minutes having been circulated, as a correct record of those meetings, once printed in the Council Bound Volume.

(See also Minute 1072)

1074. **Public Questions:**

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

1075. **Petitions:**

RESOLVED: To note receipt of the following petitions, which were referred to the Group Manager (Planning and Development) for consideration:

- (i) Petition expressing concern at the manner in which planning permission was granted with regards Planning Application P/2928/04/DFU – 31 Northumberland Road, North Harrow
Councillor Marilyn Ashton presented the above petition, which had been signed by 25 residents of Northumberland Road, Suffolk Road, Lancaster Road and Lincoln Road.
- (ii) Petition objecting to Planning Application P/2853/05/CFU – 10.3M telecommunications pole and antennae at junction of Peterborough Road and Kenton Road
Councillor Mrs Kinnear presented the above petition, which had been signed by approximately 35 people.

1076. **Deputations:**

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

1077. **References from Council and other Committees/Panels:**

RESOLVED: To note that there were no references from Council or other Committees or Panels to be received at this meeting.

1078. **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 items 1/05 and 2/12 on the list of planning applications.

[Note: Planning Application 2/12 was subsequently deferred at officer's request to clarify details of proposal].

1079. **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.

[Note: During consideration of the planning applications, Members noted that the wrong ward appeared on some of the officer reports. Officers were requested to ensure that the correct ward was stated on reports].

1080. **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: That the report be noted.

1081. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Group Manager (Planning and Development) which listed those enforcement notices awaiting compliance.

RESOLVED: That the report be noted.

1082. **Cost of Fees for High Hedge Formal Complaints:**

The Committee received a report of the Group Manager (Planning and Development) which sought agreement to introduce a charge to facilitate the processing of complaints under the new High Hedges legislation.

RESOLVED: That (1) the introduction of a charging structure, as set out in the officer report, for the processing of complaints about high hedges under Part 8 of the Anti-Social Behaviour Act 2003 legislation be agreed;

(2) such complaints be determined under the Delegated Powers of the Group Manager (Planning and Development), or his nominated deputy.

(See also Minute 1072)

1083. **1 Wildcroft Gardens, Stanmore:**

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 and/or reduction of the gates, walls, pillars and railings to a height not exceeding 1 metre above ground level;
- (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.

[Note: The Committee noted the correction to the location address, as set out on the Addendum].

1084. **High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner:**

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) cessation of the use of the land as a retail showroom (Class A1);
- (ii) the permanent removal of all kitchen displays 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.

1085. **4 Elm Park, Stanmore:**

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) cessation of 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) the return of the use of the building to car parking as shown on plan 2572/10 of planning consent EAST/1213/01/FUL.

(i), (ii) and (iii) should be complied with within a period of six (6) 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.

1086. **Urgent Non-Executive Action - Appeal: 19 & 21 & R/O 11-29 Alexandra Avenue, South Harrow:**

The Committee received a report of the Director of Legal Services outlining action taken following consultation with the Chair and Nominated Members of the Development Control Committee, under the Urgent Non-Executive Decision Procedure.

RESOLVED: To note the following action, taken under the Urgent Non-Executive Decision Procedure:

Subject: Appeal: 19 & 21 & R/O 11-29 Alexandra Avenue, South Harrow

Action Proposed: That (1) the Council formally withdraw Reason 2 of the refusal of application P/1354/05/CFU dated 29 July 2005 in order to avoid the appellant in any additional cost in defending their appeal;
(2) officers be instructed to advise the appellant accordingly.

Reason for Urgency: The next meeting of the Development Control Committee had not been until 7 December 2005.

Decision: Officer Recommendation agreed.

[Notes: (1) The Nominated Members consulted had been unable to agree on whether or not to support the proposed action. The Procedure for Urgent Non-Executive Decision states that, in the event of disagreement, the matter will be referred to the Chief Executive, who may take the decision after consultation with the Leaders of all political groups (or their nominees) and, if appropriate, with the statutory officers;

(2) the decision of the Chief Executive had been to support the officer recommendation].

(See also Minute 1072)

1087. **Any Other Urgent Business:**

Member Site Visits to Deferred Planning Applications

RESOLVED: That the following Member site visits be held on Saturday 28 January 2006:

9.30 am - Trinity Church Harrow, 89 Hindes Road

10.00 am - Site adjoining 3 West Drive Gardens, Harrow

Member Site Visit to St Dominics School

The Chair advised that she had received a request from St Dominic's School for Members of the Committee to visit the site prior to submission by the school of a planning application. Following discussion it was

RESOLVED: That (1) a site visit to St Dominic's School would not be appropriate at this stage as no planning application had been submitted;

(2) officers be requested to inform St Dominic's School of the above decision.

1088. **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.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.37 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/2457/05/COU
LOCATION: Land west of Cornwall Road, 407-523 Uxbridge Road, Hatch End
APPLICANT: Michael Burroughs Associates for A Surace
PROPOSAL: Outline: Redevelopment, detached 3 storey building with B1 (Business) use on ground floor and 14 flats on the upper floors
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons reported.

LIST NO: 1/02 **APPLICATION NO:** P/985/05/CFU
LOCATION: 56-60 Scanmoor House, Northolt Road
APPLICANT: JPB Architects for Scanmoor Ltd
PROPOSAL: Additional floor within mansard roof to provide 2 flats; conversion of 1st – 4th floors to provide 12 flats: use of ground floor for Retail (Class A1)
DECISION: WITHDRAWN by the applicant.

LIST NO: 1/03 **APPLICATION NO:** P/2216/05/CFU
LOCATION: 61/63 High Street, Weladstone
APPLICANT: Modlux plc. For Chogley Properties
PROPOSAL: Redevelopment of two upper floors to provide three floors with 12 flats
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported, as amended on the Addendum.

LIST NO: 1/04 **APPLICATION NO:** P/2638/05/CFU
LOCATION: Land at High Mead, Harrow
APPLICANT: DLA Town Planning for Fulmer Developments Ltd.
PROPOSAL: Detached 3 storey block with accommodation in the roof to provide 14 flats, parking and access (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: 1/05 **APPLICATION NO:** P/1306/05/CFU
LOCATION: Cloisters Wood (Formerly Cloisters Wood Fitness Club), Wood Lane, Stanmore
APPLICANT: Ask Planning for Shree Swaminarayan Satsang
PROPOSAL: Change of Use: Leisure to religious uses including conversion of garages to caretakers house. Increase height of squash/functions building by 1M, external alterations, additional car park
DECISION: INFORM the applicant that:

(1) the proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to:-

i) prior approval by the Local Planning Authority's Development Control Committee and implementation by the occupier of the development of a Travel Plan (to include an annual review) prior to commencement of use.

ii) the occupier of the development shall fund all costs on public consultation, analysis, reporting and implementation of local on-street waiting restrictions, at any time within 5 years of the commencement of the use, if in the Council's opinion, a monitoring period shows unacceptable local on street parking, up to a maximum amount of £20,000 index linked.

iii) parking within the site but outside the defined car parks shown on drawing SP/854c shall not be permitted without the prior approval of the Local Planning Authority's Development Control Committee and on no more than 6 occasions per year.

(2) a formal decision notice, subject to the planning conditions and informatives reported and as amended on the Addendum, will be issued only upon completion by the applicant of the aforementioned legal agreement. For the avoidance of doubt the submission and approval of the Travel Plan must precede the completion of the aforementioned legal agreement.

[Note: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;

(2) during discussion on the above application, the Committee agreed amendments to the recommendation set out in the officer's report;

(3) the decision to grant the application subject to completion of the legal agreement was unanimous].

(See also Minute 1071 and 1078)

LIST NO:	1/06	APPLICATION NO:	P/2543/05/CFU
LOCATION:	Trinity Church Harrow, 89 Hindes Road		
APPLICANT:	JBKS Architects for Trinity Church Harrow		
PROPOSAL:	Redevelopment of church hall to provide new church hall and ancillary facilities		
DECISION:	(1) DEFERRED at officer's request to give further consideration to scale of development, design and impact on trees;		
	(2) Member site visit to take place prior to consideration of application.		
	(See also Minute 1071 and 1087)		

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO:	2/01	APPLICATION NO:	P/2291/05/CFU
LOCATION:	Canons Court, Stonegrove, Edgware		
APPLICANT:	Langley Hall Associates Ltd for Beaver Investments Ltd		
PROPOSAL:	Additional accommodation at 3 rd and 4 th level for 9 flats with new staircase and revised parking		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		

(See also Minute 1071)

LIST NO:	2/02	APPLICATION NO:	P/2852/05/CFU
LOCATION:	302-306 Uxbridge Road, Hatch End		
APPLICANT:	Michael Burroughs Associates for A Surace		
PROPOSAL:	Rear extension at 1 st and 2 nd floor levels to provide 2 additional flats, revised pedestrian access at rear and 2 front dormers		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		
LIST NO:	2/03	APPLICATION NO:	P/1861/05/CFU
LOCATION:	The Rookery, Westfield Lane, Harrow		
APPLICANT:	Dennis Granston for R Edwards / D Brazier		
PROPOSAL:	2 storey block to provide 6 flats and car parking		
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/754/05/CFU
LOCATION:	Cloisters Wood, Wood Lane, Stanmore		
APPLICANT:	Gami Associates Ltd for Mr H Halai		
PROPOSAL:	Provision of new gates across entrance in Wood Lane		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		
	(See also Minute 1071)		
LIST NO:	2/05	APPLICATION NO:	P/2551/05/DFU
LOCATION:	6 Hillview Close, Pinner		
APPLICANT:	Magan D Solanki for Mr & Mrs K Kung		
PROPOSAL:	Single storey side to rear extension (revised)		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		
LIST NO:	2/06	APPLICATION NO:	P/2839/05/COU
LOCATION:	R/O 26-28 High Street, Harrow		
APPLICANT:	Mac Engineering Services for Mr Kotak		
PROPOSAL:	Outline: Details pursuant to P/3104/04/COU: Construction of 3 storey building to provide shop (A1) and workshop at ground floor and 3 flats above (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.		

reported.

LIST NO:	2/07	APPLICATION NO:	P/2314/05/DFU
LOCATION:	273 Pinner Road, Harrow		
APPLICANT:	Colin Bargioni for Mr Utup Vitija		
PROPOSAL:	Single storey rear extension and change of use: Office/residential (Class A2/C3) to restaurant (Class A3)		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		
LIST NO:	2/08	APPLICATION NO:	P/1679/05/DFU
LOCATION:	303-305 Station Road, Harrow		
APPLICANT:	Lees Lloyd Whitley for Mr Gary Daines		
PROPOSAL:	Change of Use: First floor from fitness and slimming club (Class D2) and offices (Class B1) to advice and counselling centre (Class D1)		
DECISION:	DEFERRED for consultation with Social Services and to seek more information from the applicant.		
	[Note: (1) During discussion on the above application, Members expressed concern that they had insufficient information regarding the proposed use of the premises upon which to determine the application;		
	(2) the Group Manager (Planning and Development) had recommended that the above application be granted].		
LIST NO:	2/09	APPLICATION NO:	P/2566/05/CFU
LOCATION:	Amberley, Pinner Hill, Pinner		
APPLICANT:	Orchard Associates for Mr & Mrs Lynford Smith		
PROPOSAL:	Re-alignment of drive/hard surfacing		
DECISION:	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.		
LIST NO:	2/10	APPLICATION NO:	P/1556/05/DFU
LOCATION:	25 Hawthorn Drive		
APPLICANT:	Mel-Pindi for Bison Ltd		
PROPOSAL:	Single and two storey side, single storey rear extension; conversion to two self-contained flats		
DECISION:	DEFERRED at officer's request to clarify the application report in respect of revisions to the proposals.		
LIST NO:	2/11	APPLICATION NO:	P/2658/05/CFU
LOCATION:	20 Little Common, Stanmore		
APPLICANT:	Abe Hayeem for Mr D Bleich		
PROPOSAL:	Rear conservatory with retractable roof		

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

(See also Minute 1071)

LIST NO: 2/12 **APPLICATION NO:** P/2337/05/DFU

LOCATION: Site adjoining 3 West Drive Gardens, Harrow

APPLICANT: Fidler Associates for Mr N Nagle

PROPOSAL: Two-storey detached house (revised)

DECISION: (1) DEFERRED at officer's request to clarify details of proposal;
(2) Member site visit to take place prior to consideration of application.

(See also Minute 1078 and 1087)

LIST NO: 2/13 **APPLICATION NO:** P/2384/05/DFU

LOCATION: 6 Powell Close, Edgware

APPLICANT: Wide Sky Architects for Wide Sky Architects

PROPOSAL: Replacement house and garage (revised)

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: 2/14 **APPLICATION NO:** P/2185/05/DFU

LOCATION: 188 Malvern Avenue

APPLICANT: Mary Shepherd

PROPOSAL: Two storey side to rear and single storey rear extension, conversion to two self-contained flats and one dwelling, parking at front and rear

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

(See also Minute 1071)

LIST NO: 2/15 **APPLICATION NO:** P/2536/05/COU

LOCATION: Builders Yard to rear of 2-24 Walton Road, Harrow

APPLICANT: Mr T Edens for Masterson Holdings

PROPOSAL: Outline: Residential development

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported, as amended on the Addendum.

LIST NO: 2/16 **APPLICATION NO:** P/2475/05/CVA

LOCATION: The Pavilion at Whitchurch Playing Fields, Wemborough Road, Stanmore

APPLICANT: Potters House Nursery

PROPOSAL: Variation of Conditon 4 of P/1136/05 to allow opening 7am – 7pm 7 days a week; remove Condition 5 (Temporary for 5 years)

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

(See also Minute 1071)

LIST NO: 2/17 **APPLICATION NO:** P/1874/05/DFU

LOCATION: 13 Clewer Crescent

APPLICANT: A J Emmanuel for Mr A Raio

PROPOSAL: Single and two storey side, single storey rear extension; 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.

LIST NO: 2/18 **APPLICATION NO:** P/1184/05/DFU

LOCATION: 352 Pinner Road, North Harrow

APPLICANT: Saltor Rex for Saltor Rex

PROPOSAL: 1st floor extension and alterations to provide dormer terrace at rear/side and conversion of resulting 1st floor to 2 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.

LIST NO: 2/19 **APPLICATION NO:** P/1939/05/DFU

LOCATION: Land adjacent to 56 Uxbridge Road

APPLICANT: Mr K D'Austin for Mr S Smart & Mrs P McMahon

PROPOSAL: Outline: Two storey detached house with attached garage

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: 2/20 **APPLICATION NO:** P/2567/05/CVA

LOCATION: 373-375 Station Road, Harrow

APPLICANT: Hepher Dixon for J D Wetherspoon

PROPOSAL: Variation of Conditon 3 of permission WEST/42514/91/FUL to allow opening Sun-Thurs 0900-0030, Fri & Sat 0900-0100

DECISION: DEFERRED at officer's request to give further consideration to the proposals

(See also Minute 1071)

LIST NO: 2/21 **APPLICATION NO:** P/2663/05/DFU

LOCATION: 127 Arundel Drive, Harrow

APPLICANT: Brown & Co for R S Humphreys

PROPOSAL: Alterations to roof to form end gable and rear dormer; single storey rear extension; alterations and conversion to two self contained flats; parking with extended access at front

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

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO: 5/01 **APPLICATION NO:** P/2893/05/CFU

LOCATION: Land opposite Wellington House, Stanmore Hill, Stanmore

APPLICANT: PHA Communications Ltd for Orange PCS Ltd

PROPOSAL: 8 metre high telecommunications mast and one equipment cabin

DECISION: REFUSED permission for the development described in the application and submitted plans for the reason and informative reported.

LIST NO: 5/02 **APPLICATION NO:** P/2939/05/CDT

LOCATION: S/E corner of Kenton Lane and Mountside, Harrow

APPLICANT: LCC Deployment Services UK Ltd for T-Mobile UK Ltd

PROPOSAL: Determination: 10M high telecommunications mast and equipment cabins

DECISION: (1) RESOLVED that prior approval of siting and appearance was required.
(2) REFUSED approval of details of siting/appearance for the reason and informative reported.

LIST NO: 5/03 **APPLICATION NO:** P/2853/05/CFU

LOCATION: Highways land at the junction of Peterborough Road and Kenton Road, Harrow

APPLICANT: PHA Communications Ltd for Orange PCS Ltd

PROPOSAL: 10.3M high telecommunications pole and antennae; equipment cabin

DECISION: REFUSED permission for the development described in the application and submitted plans for the following reason:

(1) The proposed development, by reason of its size, appearance and prominent siting would be visually obtrusive and unduly prominent to the detriment of the character and appearance of this part of the Conservation Area, Area Of Special Character and the adjoining Metropolitan Open Land.

[Note: During discussion on the above application the Committee agreed amendments to the reason for refusal given in the officer's report].

(See also Minute 1070 and 1075)

LIST NO: 5/04 **APPLICATION NO:** P/2955/05/CFU

LOCATION: Hillingdon House, 386/388 Kenton Road, Kenton

APPLICANT: PHA Communications Ltd for Orange PCS Ltd

PROPOSAL: 3 roof mounted antennae, 2 dishes and ancillary telecommunications equipment

DECISION: REFUSED permission for the development described in the application and submitted plans for the reasons and informative reported.

LIST DATE: 25.01.06

APPEALS BEING DEALT WITH

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	QUESTIONNAIRE DUE/SENT	STATEMENT DUE	SITE VISIT DATE/TIME
79 Pinner Hill Road	3410	SW2	Sent 04.01.06	26.01.06	
408 Uxbridge Road, Hatch End	3411	OH	Sent 03.01.06	26.01.06	
Land R/O 71-83 Canterbury Rd	3413	DT	Sent 20.01.06	01.02.06	
123 Sylvia Ave	3414	KMS	Sent 05.01.06	01.02.06	
44 A Howberry Road, Edgware	3415	RB3	Sent 24.01.06	16.02.06	
83B Hindes Road, Harrow	3416	PDB	Sent 24.01.06	17.02.06	
64 Lucas Avenue, Harrow	3417	SW2	Sent 24.01.06	17.02.06	
Land r/o 32-38 Greenford Road, Harrow	3418	RJS	Sent 24.01.06	17.02.06	
033 Orchard Grove	3419	GDM	Form rec'd 08.12.05	– awaiting start date	
035 Orchard Grove	3420	GDM	Form rec'd 08.12.05	– awaiting start date	
108 Whitchurch Lane	3421	TEM	Form rec'd 29.12.05	– awaiting start date	
34 Cornwall Rd	3422	GW	Due 25.01.06	22.02.06	
Land Adjoining 2 Fairholme Rd	3423	KMS	Due 30.01.06	27.02.06	
408 - 410 Uxbridge Rd	3426	PDB	Due 31.01.06	28.02.06	
7 West Drive Gardens	3427	SL2	Due 03.02.06	03.03.06	

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
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	04.04.06 (off)
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	
25 Elms Road, Harrow	3412	DT	Due 30.01.06	
	3428			
130 Stanmore Hill	3429	SC	Due 02.03.06	
	3430			

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	
	3424				
50-54 Northolt Rd	3425	RJS	Due 03.03.06		

APPEALS AWAITING DECISION

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	STATEMENT SENT	FINAL COMMENTS DUE (LPA & APPELLANT ONLY)	SITE VISIT DATE/TIME
220 Shaftesbury Avenue, Harrow	3354	KMS	06.09.05	Expired	19.10.05 @ 13:00
9 Carrington Square	3344	GW	06.09.05	Expired	
77 Minehead Road	3384	PDB	25.10.05	Expired	
42 Beatty Road	3381	Del (e)	09.11.05	Expired	
25-28 Belmont Circle	3385	TEM	14.10.05	Expired	
209-213 Station Road, Harrow	3386	CM	14.10.05	Expired	
159 Village Way	3392	RM2	09.11.05(q)	Expired	

2 Ashcroft, Pinner	3401	CM2	02.12.05(q)	Expired	
218 Shaftesbury Avenue	3404	RJS	02.12.05(q)	26.01.06	
Junction Shaftesbury Avenue & Welbeck Rd	3390	SC	02.12.05	Expired	
Highway Lnd - Sudbury Hill, Opp South Hill Ave	3395	RJS	02.12.05	Expired	
Land outside 48 Courtenay Avenue	3391	SC	06.12.05	Expired	
4 Eastcote Lane	3393	RM2	08.12.05	Expired	7.02.06 @ 11.15
Katies Kitchen, 4 Forward Drive	3394	TEM	12.12.05	Expired	
88-92 High Street, Wealdstone	3396	SC	13.12.05	Expired	07.02.06 @ 13.15
8 Wakehams Hill	3389	PDB	15.12.05	Expired	07.02.06 @ 12:15
45 Whitchurch Gardens	3397	JP	19.12.05	Expired	
Wards P.H, 38/40 Lowlands Road	3398	TEM	20.12.05	Expired	
302-306 Uxbridge Road	3406	RJS	22.12.05(q)	02.02.06	
15 & 15A Parkfield Road	3399	KMS	23.12.05	Expired	
7 Stroud Gate, Harrow	3400	RM2	29.12.05	Expired	
Orchard End, Nugents Park	3402	RM2	03.01.06	Expired	
9 Broadfields, Harrow	3403	SW2	03.01.06	25.01.06	
258 Torbay Road, Harrow	3405	KMS	05.01.06	26.01.06	
44 College Hill Road, Harrow Weald	3407	TEM	18.01.06	08.02.06	
74 Uxbridge Road, Harrow Weald	3408	DT2	20.01.06	10.02.06	
1 Butler Avenue	3409	PDB	10.01.06(q)	13.02.06	

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION

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 01.11.05)

	APPEAL REF:	OFFICER	DECISION	DATE
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
21 Church Road, Stanmore (LB & enf)	3343	AB	DISMISSED	01.12.05
	3320	KB		
85 Capthorne Avenue	3369	OH	DISMISSED	14.12.05
149 High Street	3383	RB3	ALLOWED	21.12.05
134 College Hill Road	3382	SL2	ALLOWED	05.01.06
15 Gordon Avenue	3288	TW	ALLOWED	05.01.06
S.Harrow Tel Exchange, Northolt Rd	3373	SC	ALLOWED	06.01.06
Kenton Tel. Exchange, 9 Kenton Pk Parade	3372	GM	ALLOWED	06.01.06
NTL Broadcast trans stn, Gordon Ave	3371	SC	ALLOWED	11.01.06
2 Chestnut Drive	3380	RM2	DISMISSED	12.01.06
R/O 111 High Street, Wealdstone	3387	MRE	ALLOWED	13.01.06
147 Harrow View, Harrow	3388	JP	ALLOWED	13.01.06
56 Lake View, Edgware	3379	MRE	DISMISSED	16.01.06
Eastcliff, Brookshill Drive, Harrow Weald	3292	TEM	DISMISSED	16.01.06
47 Buckingham Road	3342	MRE	ALLOWED	17.01.06
R/O 613 Kenton Lane	3358	AMH	ALLOWED	17.01.06

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 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 8 February 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
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. Erf Officer to prepare prosecution statement. Erf officer visiting site and preparing further action. Draft prosecution statement prepared.
8 KENTON ROAD HARROW	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.
Use of property as 5 self contained flats										
81 Roxeth Hill Harrow on the hill	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.
Erection of roof										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 months to 9 months.
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	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)	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

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 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
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	further information to make this application valid. Appeal submitted. Appeal submitted. Appeal determined and upheld. Enforcement officer to monitor conditions. Enforcement Officer drafting report for breach of condition notice.
Compliance with condition 8 Portman Hall Old Redding Harrow	ENF/96/03/P	GDM	21-April-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	(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	(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.
Extensions over 70 cubic metres. 61 Oxley Road Harrow	ENF/425/04/P	DMc	17-May-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	(Legal)	27-Oct-05	02-Dec-05	Appeal received	3 months	03-Mar-06	S330 notice served on 25-August-05.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 2006

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Unauthorised change of use to a builders yard. 22 Walton Road, Harrow	ENF/530/03/P	RJP (report)	27-July-05	Contact Officer-CML) 10-Aug-05 (Legal Contact Officer-CML)	17-October-05	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. 343 High Road, Harrow Weald	ENF/968/04/9P	RJP (Report)	27-July-05	02-September-05 (Legal Contact Officer-CML)	17-November-05	21-December-05		3 months	22-March-06	S330 notice served on 22-September-05. Notice Issued.
Storage of static caravan 22 Weald Lane, Harrow Weald	ENF/44/04/P	DMC (Case Officer)	27-July-05	10-August-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. Site visit 13 January 2006, the extractor duct has been removed and compliance with condition 5 (i) has been met. No further action is required.
Unauthorised installation of extractor duct 79 Pinner Hill Road, Pinner	ENF/183/05/P	DMC (Case Officer)	9-November-05	28-November-05 (Legal Contact Officer-DG)	6-December-05	27-January-06		3 months	27-April-2006	Section 330 served on 29-November-05. Section 330 served on 15-December-05. Section 172 notice served on 6-December-05
Unauthorised construction of a garage forward or the dwellinghouse		RJP (Report)								
Prosecutions for unlawful advertisements										
ENFORCEMENT NOTICES AUTHORISED, AWAITING SERVICE										
25 LAKE VIEW, EDGWARE. HAT 4SF	ENF/33/03/P	DMC	22-April-03	16-Jul-03 (Legal						S330 notices served, Borough Solicitor preparing notice. Planning application lodged to

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 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
Breach of Conditions				Contact Officer- AK)						vary condition. PP granted. Property changed hands. Enf Officer negotiating with new owner.
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. New report required.
Erection of sales building		GDM	9-November-04	(Legal Contact Officer- DG)						
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.										
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.										
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- DG)						Section 330 notice served on 4-November-05.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 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
Erection of fencing 147 Roxeth Green Avenue, Harrow	ENF731/04/P	GM (report) RJP (officer)	11- October- 05 8- February- 05	CAM) 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										
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.										
16A Whitchurch Lane, Kenton	ENF/502/04/P	DMC	7- December -05	9- December -05 (Legal Contact Officer- DG)						Section 330 served on 22 December-05
Unauthorised installation of gantry										
20 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)						Section 330 Notice served on 10- January-2006
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						Section 330 Notice served on 10- January-2006
Unauthorised construction of a front porch										
67 Argyle Road, Harrow	ENF/78/04/P	RJP (report)	7- December -05	9- December -05						S330 Notice served 10-January- 2006
Unauthorised construction of a raised rear deck and railings										
108 Waxwell Lane, Pinner	ENF/647/04/P	RJP	7- December -05	9- December -05						S330 Notice served 10-January- 2006
Unauthorised construction of a raised rear deck and trellis										
38 Headstone Gardens, Harrow	ENF/1006/04/P	RJP (Report) GW (Case)	7- December -05	9- December -05 (Legal						S330 Notice served on 19- December-2005
Unauthorised construction of a single storey rear extension										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 8 February 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
83B Hindes Road, Harrow Unauthorised construction of gates and railings over 1 metre in height adjacent to the highway	ENF/45/05/P	Officer) RJP (Report) DMC (Case Officer)	7- December -05	Contact Officer-CL) 9- December -05 (Legal Contact Officer- DG)						S330 Notice served on 10- January-2006
1 Wildcroft Gardens, Edgware Unauthorised construction of gates, walls, railings and pillars	ENF/700/04/P	RJP (Report)	11- January- 06							
High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner Unauthorised change of use from Class B1 to Class A1	ENF/379/04/P	RJP (Report) DMC (Case officer)	11- January- 06							
4 Elm Park, Stanmore Unauthorised conversion of a detached garden building at the rear of the property	ENF/297/03/P	RJP (Report)	11- January- 06							
63 College Road, Harrow Weald Unauthorised construction of a detached garden building in the rear garden	ENF/159/05/P	RJP (Report) GW (Case Officer)	8- February- 06							
147 Roxeth Green Avenue, Harrow Unauthorised construction of a rear extension at the rear of the dwellinghouse	ENF/731/04/P	RJP (Report) RJP (Case Officer)	8- February- 06							
19 Victoria Terrace, Harrow on the Hill Unauthorised installation of two rear windows in north elevation of dwellinghouse	ENF/809/04/P	RJP (Report) DMC (Case Officer)	8- February- 06							
Ravensholt, 12 Mount Park Road, Harrow on the Hill Unauthorised erection of a wire fence with concrete posts and reed panelling	ENF/353/03/P	RJP (Report) RJP (Case Officer)	8- February- 06							

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Meeting:	Development Control Committee
Date:	8 February 2006
Subject:	19 Victoria Terrace, Harrow on the Hill
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 installation of two windows in the ground floor north elevation at 19 Victoria Terrace, Harrow on the Hill, and seeks authority to initiate enforcement action for their removal.

The windows, by reason of their siting and location in relation to neighbouring residential properties, permit unreasonable, actual overlooking of No.1 and perceived overlooking of No.2 Wellington Terrace, to the detriment of the privacy and amenity of the neighbouring occupiers and contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and Policy 7 of the Harrow on the Hill Village Conservation Area Policy Statement. It is 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) The removal of the two windows on the ground floor north elevation.
- (ii) The reinstatement of the walls to match the existing wall.
- (iii) The permanent removal of the materials arising from compliance with the

first requirements in (b) (i) and (ii) above from the land.

(c) [(b)] (i), (ii) and (iii) 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 Planning permission P/2177/05/DCO for the retention of two replacement windows in north elevation was refused on 17 October 2005 for the following reasons:
The retention of the windows in the north elevation, by reason of siting and location in relation to residential properties, would permit unreasonable actual and perceived overlooking of No. 1 and No. 2 Wellington Terrace, to the detriment of the privacy amenity of the neighbouring occupiers.

Background Information and Options Considered

- 2.1 The single family detached dwellinghouse is located on the northern side of Victoria Terrace. The site is located within the Harrow on the Hill Village Conservation Area.

The two windows are UPVC double-glazed windows, located on the ground floor north elevation of the dwellinghouse, and can be seen from the rear gardens and dwellinghouses of No.1 and No. 2 Wellington Terrace.

- 2.2 Policy D4 of the Unitary Development Plan 2004 states: -

“The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development: -

- a) Site and setting;
- b) Content, scale and character;
- c) Public realm;
- d) Energy efficiency, renewable energy, sustainable design and construction;
- e) Layout, access and movement;
- f) Safety
- g) Landscape and open space; and
- h) Adequate refuse storage.”

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

- 2.4 Policy D5 of the Unitary Development Plan 2004 states:-
New residential development should:-

- A) Provide amenity space which is sufficient:-
- 1) To protect the privacy and amenity of occupiers of surrounding buildings;
 - 2) As a usable amenity area for the occupiers of the development; and
 - 3) As a visual amenity.

B) Maintain adequate separation between buildings and distance to site boundaries in order to protect the privacy and amenity of occupiers of existing and proposed new adjoining dwellings. Proposals should provide space around buildings to reflect the setting of neighbouring buildings; and C) Ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded.

In or adjacent to town centres, it may be acceptable to provide flats with only limited external amenity space. In such instances alternative provision such as balconies, roof gardens or internal communal areas will be sought.

2.5 Policy 7 of the Harrow on the Hill Village Conservation Area Policy Statement states: - that the Council will require that all development respects the character, intrinsic historic townscape patterns, and layout of the area.

2.6 The two windows are located on the ground floor north elevation of the dwellinghouse and can be seen from the rear of No.1 and No. 2 Wellington Terrace. The windows are UPVC double-glazed. The property although located in the Harrow on the Hill Conservation area has little intrinsic architectural merit and so the alterations do not affect the properties character, and that of the wider conservation area.

The two windows are not visible from any public viewpoint, but are visible from the rear gardens and provides views into the dwellinghouses of properties along Wellington Terrace. The windows present an unacceptable level of perceived and actual overlooking into the rear gardens to the detriment of the occupiers privacy.

The alleged breach of planning control

2.7 Without planning permission, the installation of two windows in the ground floor north elevation of the dwellinghouse at 19 Victoria Terrace, Harrow.

Reasons for issuing the notice

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

2.9 The windows in the ground floor north elevation, by reason of their siting and location in relation to residential properties, permit unreasonable actual overlooking of No.1 Wellington Terrace and perceived overlooking of No.2 Wellington Terrace, to the detriment of the privacy and amenity of the neighbouring occupiers, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and Policy 7 of the Harrow on the Hill Village Conservation Area Policy Statement.

3.0 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

- 3.1 -Ward Councillors copied for information
-Harrow Council Legal Services
-Harrow Council Financial Services

Financial Implications

- 3.2 None.

Legal Implications

- 3.3 As contained in the report.

Equalities Impact

- 3.4 None.

Section 17 Crime and Disorder Act 1998 Considerations

- 3.5 None

Section 3: Supporting Information/ Background Documents

P/2177/05/DCO Retention of two replacement windows in north elevation

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Meeting:	Development Control Committee
Date:	8 th February 2006
Subject:	Rear of 48 The Avenue, Harrow Weald
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan and photograph
Key Decision:	No
Status:	Part 1

Section 1: Summary

This report relates to the untidy appearance of the land and fence to the rear of 48 The Avenue, Harrow Weald.

The condition of the land is adversely affecting the amenity of adjacent neighbours, and the area as a whole. The untidy appearance of the land derives from overgrown vegetation, rubbish tipped on the land and a broken boundary fence, that is falling down, adjacent to the footpath on Chestnut Drive. Section 215 of the Town and Country Planning Act 1990 allows the Council to issue a notice for works to ameliorate such harm to amenity. It is recommended that such a notice be issued on this occasion.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

Issue a Notice pursuant to Section 215 of the Town and Country Planning Act 1990 on the land outlined in the first schedule for the works stated in the second schedule:

FIRST SCHEDULE

The Land

Land at 48 The Avenue, Harrow Weald edged black on the attached plan (hereinafter referred to as “the Land”).

SECOND SCHEDULE

The Steps Required to be Taken

1. Reduce the height of the vegetation (except any tree with a trunk width of more than 100mm) so that vegetation on the Land is no more than 100mm in height from ground level;
2. Permanently remove all material arising from compliance with Step 1 above from the land;
3. Permanently remove all household rubbish and litter from the Land.
4. Permanently remove the section of fence that has fallen down, from the land.

Reason for report

To ensure that the amenity of the adjoining neighbours and area is not adversely affected by the appearance of the land.

Benefits

To enhance the environment of the Borough.

Cost of Proposals

None at this stage

Risks

Any notice issued pursuant to Section 215 of the Town and Country Planning Act 1990 may be appealed to the Magistrates’ Courts.

Implications if recommendations rejected

Failure to take action would mean that the amenities of the occupiers of neighbouring properties and the surrounding area would continue to be harmed.

Section 2: Report

Brief History

None.

Relevance to Corporate Priorities

- 2.1 This report addresses the Council's priority of enhancing the environment of the borough.

Background Information and Options considered

- 2.2 The land at rear of 48 The Avenue forms part of the planning unit of number 48 The Avenue. The untidy appearance of the land derives from rubbish / litter tipped on the land, overgrown vegetation up to a height of approximately 2 metres and the fence adjacent to Chestnut Drive in disrepair. Wooden planks from the fence are missing and a 3-metre section of the fence has fallen onto the land.
- 2.3 The land at 48 The Avenue is a corner plot with the land and fence clearly visible from Chestnut Drive. Due to its prominent corner location, the land has an increased negative impact on the amenity of the area and the character of the street scene.

3.1 The alleged breach of planning control

The current condition of the land adversely affects the amenity of adjoining neighbors and the surrounding area.

3.2 Reasons for issuing the notice

The condition and appearance of the land is untidy, overgrown and is harmful to amenity of adjoining neighbours and the surrounding area.

3.3 Consultation with Ward Councillors

Copied for information

3.4 Financial Implications

None

3.4 Legal Implications

Apart from the right of appeal to the magistrates' court, article 1 of the Human Rights Act 1998 (the Act) states that a person is entitled to the peaceful enjoyment of his/her property. Public authorities are required under the Act not to exercise their powers in such a way as to derogate from a right entrenched in the Act. However, the right to peaceful enjoyment must be balanced against the general interest and protection of the rights and freedom of others. In this case, it is thought that the wider impact of the appearance of the land on the amenities of neighbouring occupiers and the locality overrules the owner's right to the peaceful enjoyment of the land.

3.6 Equalities Impact

None

3.7 Section 17 Crime and Disorder Act 1998 Considerations

None

Section 3: Supporting Information/ Background Documents

Photographs of the land at the rear of 48 The Avenue.



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Meeting:	Development Control Committee
Date:	Wednesday 8 February 2006
Subject:	Ravensholt, 12 Mount Park Road, Harrow on the Hill
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 is in relation to the unauthorised erection of a wire fence with concrete posts and reed panelling.

The wire fence, concrete posts and reed panelling are sited on land at Ravensholt, 12 Mount Park Road, Harrow on the Hill. The metal mesh fencing panels and stabilising mounts, by reason of their size, siting and appearance, are considered to be inappropriate, obtrusive and give rise to the loss of outlook, views and openness, to the detriment of the visual amenity, appearance and character of the surrounding Conservation Area. The site is situated within the Mount Park Conservation Area. The development is contrary to policies SD1, SD2, D4, D9, D14, D15 of the Harrow Unitary Development Plan 2004. It is therefore recommended that an Enforcement Notice be served to secure their removal.

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) The demolition of the metal mesh fence, concrete posts and reed

panelling.

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

(c) [(b)] (i) and (ii) should be complied with within a period of one (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 occupiers properties would continue to be harmed.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.1 Planning permission reference P/1252/05/DFU for the retention of replacement post and wire fence, partly with temporary reed screening, was refused on 2 September 2005 for the following reasons:
The wire mesh fence and reed backing, by reason of inappropriate materials, and inadequate natural screening are unduly obtrusive in the streetscene on this prominent corner and fail to preserve or enhance the character and appearance of the property in this part of the Conservation Area.

Relevance to Corporate Priorities

- 2.2 This report addresses the Council's stated priority of enhancing the environment of the borough.

Background Information and Options Considered

- 2.3 The property known as "Ravensholt" is located on the southern side of Mount Park Road. The property is locally listed and was constructed around the turn of the 20th Century and located within the Mount Park Conservation Area. The character of the area is one of large late Victorian and Edwardian dwellings with extensive gardens, set well back from the road, giving a feeling of openness.
The Mount Park Conservation Area Policy Statement states, that natural, soft boundaries in the conservation area are highlighted as one of the characteristics.

- 2.3 In relation to Policy D4, The Harrow Council Unitary Development Plan 2004 Policy D4 states:-

"The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development:-

- a) Site and setting;
- b) Content, scale and character;
- c) Public realm;
- d) Energy efficiency, renewable energy, sustainable design and construction;
- e) Layout, access and movement;
- f) Safety
- g) Landscape and open space; and
- h) Adequate refuse storage."

- 2.4 These policies are reinforced in the more general Policy, SD1 *Quality of Design* and SD2 *Conservation Areas, Listed Buildings, Sites of Archaeological Importance, and Historic Parks and Gardens* of the Unitary Development Plan 2004. SD2 states, that the Council will preserve or enhance the character or appearance of conservation areas, preserve the

special interest of listed buildings and protect sites of archaeological importance and historic parks and gardens

- 2.5 The Harrow Council Unitary Development Plan 2004 Policy D9 states:-
The Council will seek to achieve and retain a high quality of streetside greenness and forecourt greenery in the Borough and:-
- a) Will resist proposals which include hardsurfacing of the whole front gardens or the loss of landscaped areas forming a setting to flatted developments;
 - b) Consider the making of Article 4 Directions to control forecourt treatment in areas of high amenity value threatened by the form and amount of development taking place;
 - c) In public and private streets, undertake and encourage new planting of trees and shrubs, by legal agreement if necessary, and provide, restore and/or maintain grass verges; and
 - d) Where new proposals include hardsurfacing of part of a front garden, require the use of surface materials that respect the character of the building and the surrounding area, the retention of existing landscaping and the provision of suitable boundary treatment.

- 2.6 Policy D14 Conservation Areas, of the Harrow Council Unitary Development Plan 2004: states:-

The Council will seek to preserve or enhance the character or appearance of conservation areas by:-

- a) Seeking to retain buildings, trees and other features which are important to the character or appearance of the area;
- b) Allowing redevelopment only when the new building would contribute to the area by preserving or enhancing its character or appearance;
- c) Where appropriate, using its powers under the town and country planning acts to secure an enhancement of derelict buildings or land;
- d) Preparing specific policies and proposals for each conservation area, within the framework of the plan; and
- e) Preparing supplementary planning guidance to be applied to existing or proposed development within conservation areas or other areas regarded as having townscape importance

There will be a presumption against the demolition of buildings which make a positive contribution to the character or appearance of a conservation area. If a building makes a neutral contribution, its value will be assessed against any proposed development.

- 2.7 Policy D15, Extensions and Alterations in Conservation Areas, of the Harrow Council Unitary Development Plan 2004 states:-

Proposals for new development and for the alteration and extension of existing buildings in conservation areas should comply with the following criteria:-

- a) The position of the building on its site should properly relate to surrounding buildings an/or spaces;
- b) Materials and detailing should be appropriate to the area and in keeping with surrounding buildings;

- c) The development should be in scale and harmony with surrounding buildings and the area;
 - d) The design should ensure that the proportions of the parts are in scale with each other and properly relate to adjoining buildings;
 - e) The development should not adversely affect the streetscape, roofscape, skyline and setting of the conservation area, or significant views in or out of the area; and
 - f) The development should not adversely affect open spaces or gaps in the townscape which contribute to the character or appearance of the conservation area.
- 2.8 The wire fence with concrete poles and reed panelling has been erected along the boundary of the property fronting Mount Park Road. It is considered that the type and location of the fencing is out of character with the surrounding area and has a detrimental impact on the views from the conservation area by virtue of its streetscene.
- 2.9 At the time of the publication of the Mount Park Conservation Area Policy Statement in 1989, the boundary treatment of Ravensholt was a thick, lush hedgerow along its whole boundary length. This can be seen on pages 32-33 of the Mount Park Conservation Area Policy Statement. The Policy Statement describes the boundary as being a green verge or hedgerow and the various photos throughout the statement show it having dense foliage. An Article 4 Direction was implemented in 1989, requiring planning permission for the erection, construction, maintenance, improvement or other alteration of a gate, fence, wall or other means of enclosure.
- 3.0 The natural, soft boundaries in the conservation area are highlighted in the study as one of the important characteristic that make it special enough to merit conservation area status. Policy 2 of the Mount Park Conservation Area Policy Statement states that: "Development should include the retention of existing hedgerows and verges should be retained and any proposals which result in the fragmentation of these important linear features will be refused".
- 3.1 The current situation is considered to be unacceptable because the wire fence and concrete posts are visible and are of poor quality. The materials of the reed panels appear inappropriate in a semi rural natural landscape, in an important prominent corner of the conservation area, these materials are deemed to be obtrusive in nature and detrimental to the street scene.
- 3.2 The wire fence with concrete posts and reed panelling is not in accordance with a number of the Council's policies, specifically SD1, SD2, D4, D9, D14, D15 of the Harrow Unitary Development Plan 2004. It is considered that significant harm is caused by this development; therefore, it is recommended that a planning enforcement notice be issued.

The alleged breach of planning control

- 3.3 Without planning permission, the erection of a chain link fence with concrete posts and reed panelling.

Reasons for issuing the notice

- 3.4 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.5 The wire fence with concrete posts and reed panelling by reason of inappropriate materials, and inadequate natural screening are unduly obtrusive in the streetscene on this prominent corner and fail to preserve or enhance the character or appearance of the property in this part of the Conservation Area, contrary to Policies SD1, SD2, D4, D9, D14 and D15 of the Harrow Council Unitary Development Plan 2004.
- 3.6 The council does not consider that planning permission should be granted because planning conditions would not overcome these problems.

Consultation

- 3.6 -Ward Councillors copied for information
-Harrow Council Legal Services
-Harrow Council Financial Services
-Harrow Council Conservation Team

Financial Implications

- 3.7 There are no financial implications at this stage

Legal Implications

- 3.8 As contained in the report

Equalities Impact

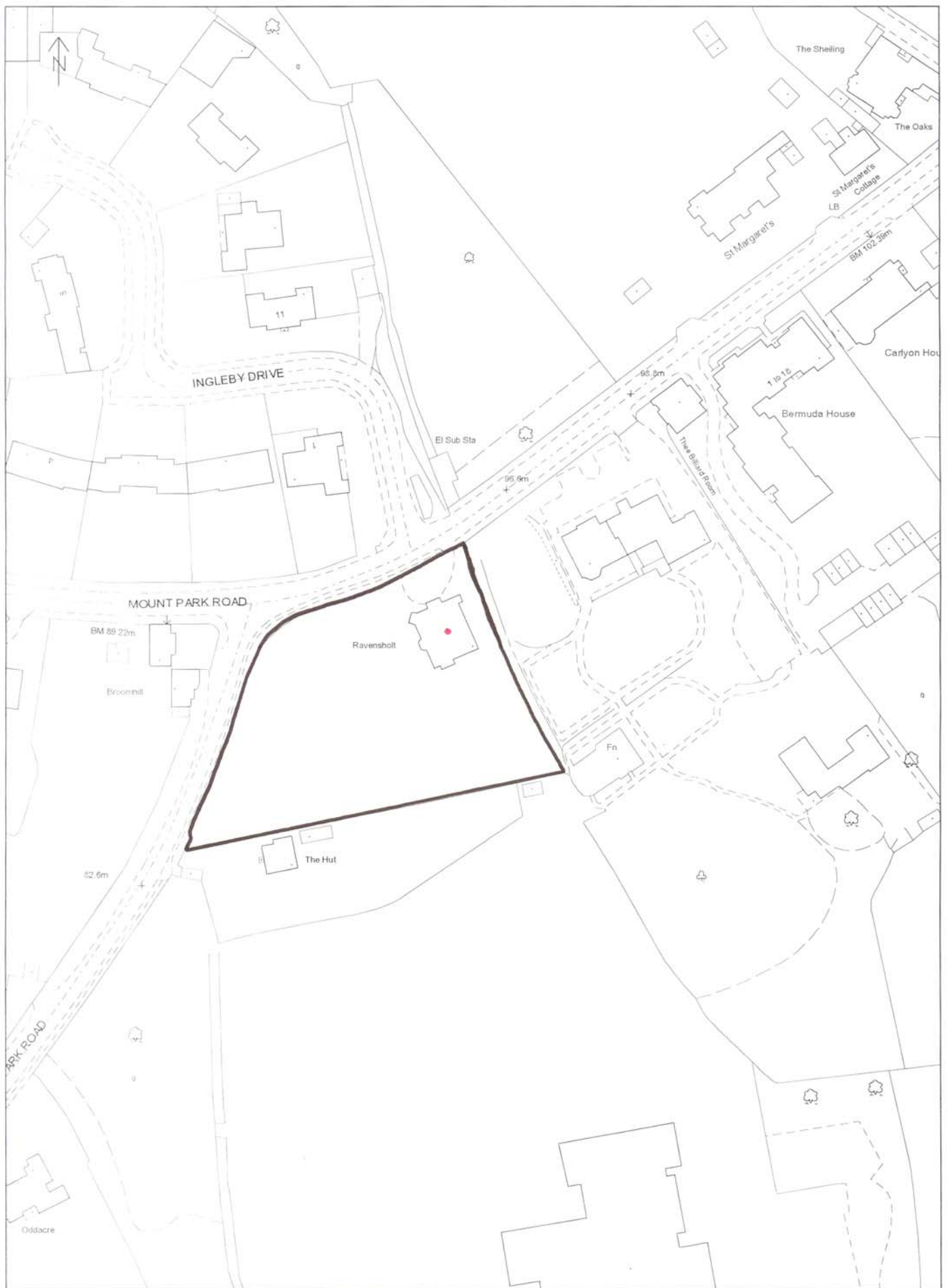
- 3.9 None

Section 17 Crime and Disorder Act 1998 Considerations

- 4.0 None

Section 3: Supporting Information/ Background Documents

P/1252/05/DFU Retention of replacement post and wire fence, partly with temporary reed screening.



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Meeting:	Development Control Committee
Date:	8 February 2006
Subject:	147 Roxeth Green Avenue, 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 a rear extension at 147 Roxeth Green Avenue, Harrow, and seeks authority to initiate enforcement action for its removal.

At its meeting of 11 October 2005 the Development Control Committee refused to grant planning permission for planning application reference P/1630/05/DCO, for the alteration to, and retention of, covered area at rear.

The rear extension, by reason of its excessive bulk and rearward projection, is unduly obtrusive, resulting in loss of light and overshadowing, and is detrimental to the visual and residential amenities of the occupiers of the adjacent property. The development is contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and C1, C3, C4 and C7 Supplementary Planning Guidance "Extensions, A Householders Guide". It is 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) The demolition of the canopy roof.
 - (ii) The reduction of its flank walls to a height not exceeding 2 metres
 - (iii) The demolition of the raised floor to natural ground level.
 - (iv) The permanent removal from the land of the materials arising from compliance with the requirements in (b) (i), (ii) and (iii) above from the land.
- (c) [(b)] (i), (ii) (iii) and (iv) should be complied with within a period of three (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/1630/05/DCO Alterations to, and retention of, covered area at rear, refused 12 October 2005. Reasons for refusal:

The retention of the covered area at the rear, with the proposed alterations, would be detrimental to the amenity of neighbouring occupiers by reason of its discordant, obtrusive appearance and overlooking, and would be at odds with the character and pattern of development in the established residential locality.

- 2.1 P/451/05/DCO Retention of covered area at rear, refused 16 May 2005 reasons for refusal:

The proposed extension, by reason of excessive bulk and unsatisfactory design, would be unduly obtrusive with inadequate space about the buildings and would detract from the established pattern of development in the street scene and the character of the locality.

The proposed rear extension, by reason of excessive bulk and rearward projection, would be unduly obtrusive, result in loss of light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjacent property.

Background Information and Options Considered

- 2.2 The property is located on the western side of Roxeth Green Avenue and comprises a two storey terraced dwellinghouse with a 2.9 metre single storey rear extension. A covered patio projects a further 2.8 metres from the rear extension which is walled on both boundaries, has a partial height wall at the rear and has a clear polycarbonate roof, which protrudes a further 0.6 metres. The floor of the patio has been raised by approximately 700 mm and has 3 steps down into the garden. A large outbuilding and detached garage are sited at the rear of the property.

- 2.3 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.

2.4 Section C of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A householders guide* states: -

C1 Rear extensions have the greatest potential for harm to the amenities of neighbouring residents. Their impact on neighbouring property and the character and pattern of development needs careful consideration. Rear extensions should be designed to respect the character and size of the house and should not cause unreasonable loss of amenity to neighbouring residents

C2 The distance should be limited to 2.4 metres on a terraced house, whether this is in the middle or end of terrace. Generally, the acceptable depth of extensions will be determined by:

- Site considerations
- The scale of the development
- Impact on the amenity of neighbouring residents, and
- The established character of the area and the pattern of development.

C4 In special circumstances a greater depth may be allowed where, for example:

- The extension would be sited away from an adjacent side boundary
- The rear building line is staggered
- An adjacent dwelling is sited away from such a boundary, or
- Where the neighbouring dwelling has an extension.

C7 The height of single storey rear extensions should be minimised to restrict the impact on the amenities of neighbouring residents. Subject to site considerations, the finished height of an extension abutting a residential boundary should be a maximum of 3 metres on the boundary for a flat roof, and for a pitched roof 3 metres at the mid-point of the pitch at the site boundary.

2.5 The lean to canopy roof, walls and raised patio are located to the rear of an existing single storey rear extension, which in total creates a single storey rear projection of 5.7 metres. The Council's supplementary planning guidance states that a single storey rear projection would normally be acceptable up to 3 metres. The original rearward extension is acceptable, however the additional element does not respect the character and size of the houses or development within the locality and increases the rear projection to an unacceptable degree. It is not considered that the additional extension complements its surroundings and does not have a satisfactory relationship with adjoining buildings. It is not considered that the extension has regard to the scale and character of the surrounding environment. Therefore the extension is considered unacceptable due to its depth.

The alleged breach of planning control

- 2.6 Without planning permission, the erection of an extension comprising lean to canopy roof, side walls, partial height rear wall and raised patio (including steps) to the rear of the single storey rear extension.

Reasons for issuing the notice

- 2.7 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 2.8 The extension, by reason of excessive bulk and unsatisfactory design, is unduly obtrusive with inadequate space about the buildings and detracts from the established pattern of development in the street scene and the character of the locality.
Its excessive bulk and rearward projection results in a loss of light and overshadowing, and it is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, contrary to the following policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and C1, C3, C4 and C7 Supplementary Planning Guidance "Extensions, A Householders Guide".
- 2.9 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

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

Financial Implications

- 3.1 None.

Legal Implications

- 3.2 As contained in the report.

Equalities Impact

- 3.3 None.

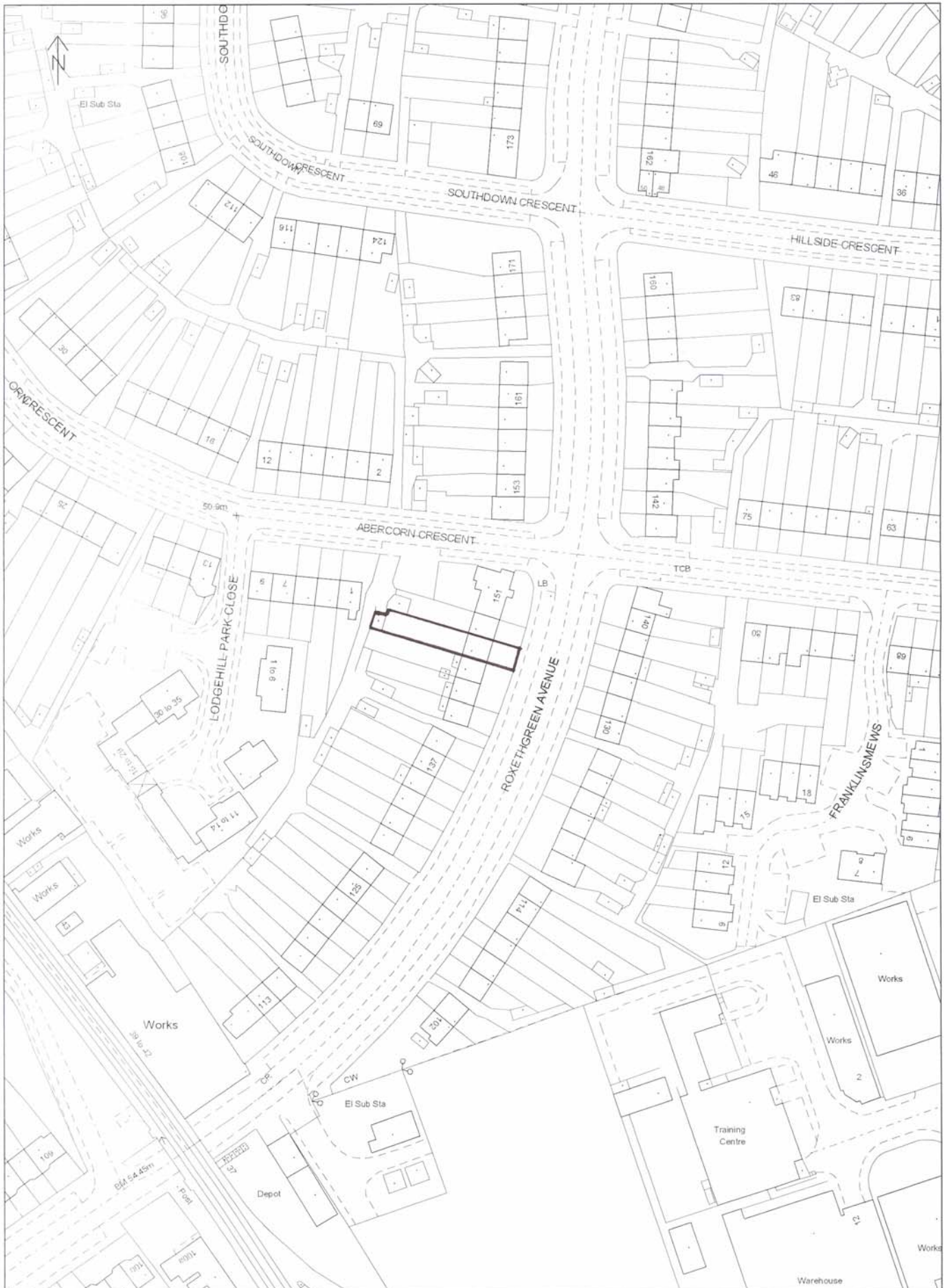
Section 17 Crime and Disorder Act 1998 Considerations

- 3.4 None

Section 3: Supporting Information/ Background Documents

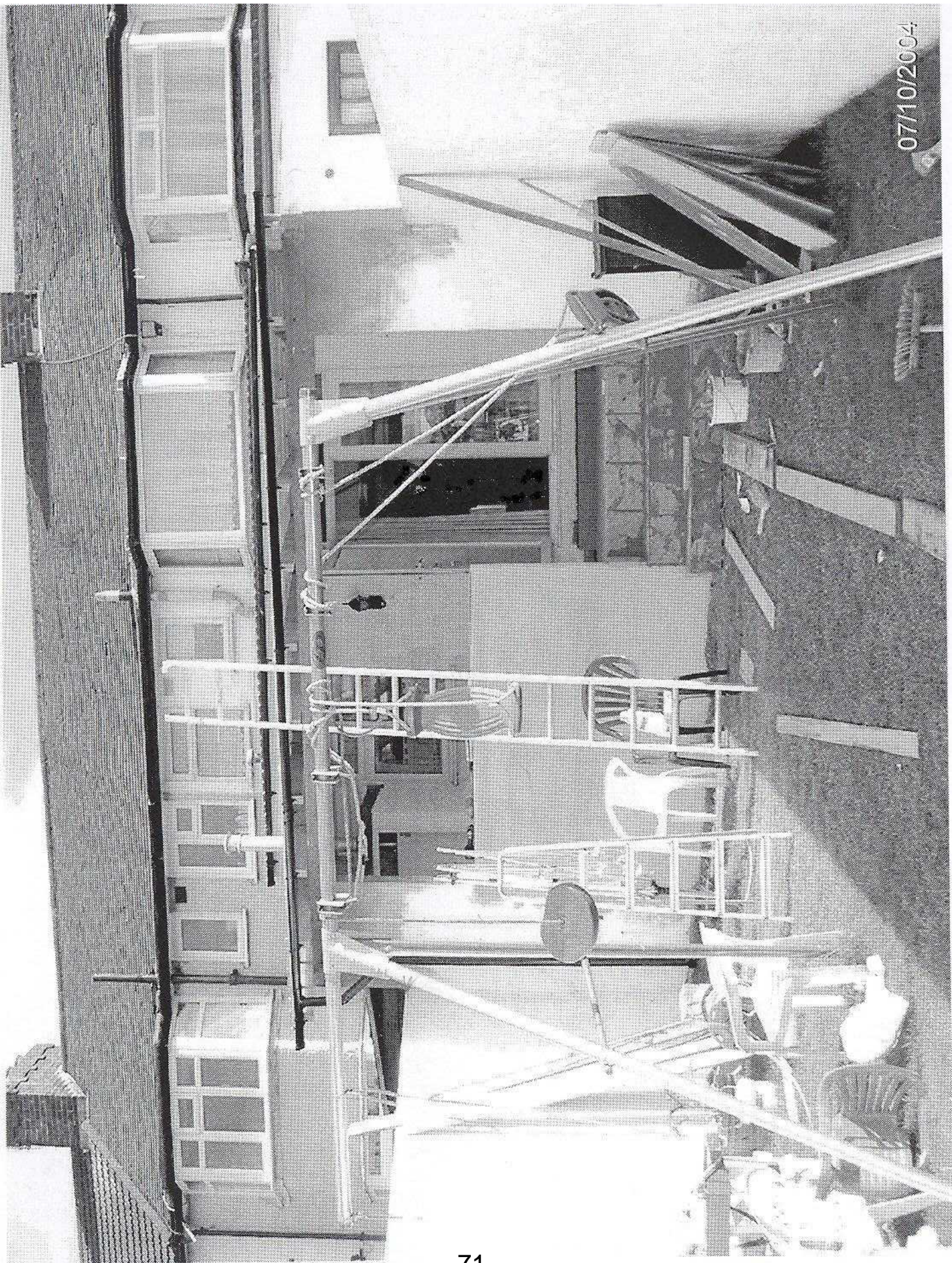
P/451/05/DCO Retention of covered area at rear.

P/1630/05/DCO Alterations to, and retention of, covered area at rear.



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Meeting:	Development Control Committee
Date:	8 February 2006
Subject:	63 College Road, Harrow Weald
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 a detached outbuilding at 63 College Road, Harrow Weald, and seeks authority to initiate enforcement action for its removal.

On this occasion the development does not constitute permitted development as the height of the building exceeds 3 metres, therefore the development is not in accordance with the Town and Country Planning (General Permitted Development) Order 1995. The property is located on a corner site adjacent to a private access way leading up to a block of flats directly behind the rear garden. The detached outbuilding, which is located at the rear of the garden, by reason of its prominent siting, height and design has a discordant, obtrusive appearance, and when viewed from surrounding properties is detrimental to the visual amenity of the locality, contrary to policies SD1 and D4 of the Harrow Council Unitary Development Plan 2004. It is 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) The demolition of the detached outbuilding.
(ii) The permanent removal of the materials arising from compliance with the requirement in (b) (i) above 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

Background Information and Options Considered

- 2.0 The property is located on the northern side of College Road, Harrow Weald and comprises of a two storey semi detached dwelling. The detached outbuilding is located at the rear of the property, more than 20 metres from the highway, further than 5 metres from the dwellinghouse and takes up less than 50 percent of the garden area. The outbuilding has a mono pitch roof and is 3.6 metres high at the highest point.
- 2.1 Policy D4 of the Unitary Development Plan 2004 states: -
- “The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development: -
- a) Site and setting;
 - b) Content, scale and character;
 - c) Public realm;
 - d) Energy efficiency, renewable energy, sustainable design and construction;
 - e) Layout, access and movement;
 - f) Safety
 - g) Landscape and open space; and
 - h) Adequate refuse storage.”
- 2.2 This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Unitary Development Plan 2004.
- 2.3 Class E of The Town and Country Planning Act (General Permitted Development) Order 1995 states:-
- The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.
- E1. Development is not permitted by Class E if –
- (A) It relates to a dwelling or a satellite antenna
 - (B) Any part of the building or enclosure to be constructed or provided would be nearer to any highway which bounds the curtilage than –
 - (i) The part of the original dwellinghouse nearest to that highway, or
 - (ii) Any point 20 metres from that highway, whichever is nearer to the highway
 - (C) Where the building to be constructed or provided would have a cubic content greater than 10 cubic metres, and part of it would be within 5 metres of any part of the dwellinghouse
 - (D) The height of that building or enclosure would exceed-
 - (i) 4 metres, in the case of a building with a ridged roof, or
 - (ii) 3 metres, in any other case
 - (E) The total area of ground covered by buildings or enclosures within the curtilage (other than the original dwellinghouse) would exceed 50% of the

total area of the curtilage (excluding the ground area of the original dwellinghouse); or

(F) In the case of any article 1(5) land or land within the curtilage of a listed building, it would consist of the provision, alteration or improvement of a building with a cubic content greater than 10 cubic metres

- 2.4 The outbuilding is located at the rear of the garden. The property is adjacent to a private access way, which leads to a group of flats located behind the rear of the outbuilding. The roof of the outbuilding is a mono pitched roof rising to a height of 3.6 metres. The roof is at its highest adjacent to the side wall of the neighbouring flats and has an overbearing impact on occupiers of adjacent flats and users of the private accessway. The Outbuilding, by reason of its height and design, has a discordant, obtrusive appearance, to the detriment of the visual amenity and character of the locality.

The alleged breach of planning control

- 2.5 Without planning permission, the erection of a detached outbuilding at the rear of 63 College Road, Harrow Weald.

Reasons for issuing the notice

- 2.6 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 2.7 The detached outbuilding, by reason of its prominent siting, height and design has a discordant, obtrusive appearance, and when viewed from surrounding properties and accessway is detrimental to the visual amenity of the locality and contrary to policies SD1 and D4 of the Harrow Council Unitary Development Plan 2004.
- 2.8 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

- 2.9 -Ward Councillors copied for information
-Harrow Council Legal Services
-Harrow Council Financial Services

Financial Implications

- 3.0 None.

Legal Implications

- 3.1 As contained in the report.

Equalities Impact

3.2 None.

Section 17 Crime and Disorder Act 1998 Considerations

3.3 None

Section 3: Supporting Information/ Background Documents

None.

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AM GARDENS

LORRAINE PARK

COLLEGE HILL ROAD
75.3m

TWICKENHAM GARDENS

High View Court

Mayland Croft

COLLEGE ROAD

Harrow Weald Lawn Tennis Club

Tennis Court

Tennis Court

Harrow Weald Club
Lawn Tennis

Tennis Court

72.2m

Leonard Court

Leonard Court

HOLLIBUSH CLOSE

Barnview Lodge

71.0m

BM
71.55m

COLLEGE ROAD

PARK CLOSE

PARK CRESCENT

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Description: mono pitch roof on outbuilding

Street: 63 College Road

Taken by: David Clarke

Date: 13 January 2006



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Description: mono pitch roof on outbuilding

Street: 63 College Road

Taken by: David Clarke

Date: 13 January 2006



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Meeting:	Development Control Committee
Date:	Wednesday 8 February 2006
Subject:	31 Northumberland Road, North Harrow.
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Frank Stocks
Portfolio Holder:	Planning, Development and Housing
Key Decision:	No
Status:	Public

Section 1: Summary

- 1.1 A series of complaints has been received relating to planning and construction works at the above property. In particular, a petition of objection has been received containing 26 signatures.
- 1.2 The petition refers to three issues:
 - the manner in which planning permission was granted
 - that the development under construction is not being carried out in accordance with the approved plans
 - a lack of proper supervision of the work being carried out
- 1.3 Several planning applications have been submitted to the Council relating to this property, one of which, ref: P/2928/04/DFU, was granted for the construction of two storey side to rear, single storey front and rear extensions and rear dormer. A development of this nature is being implemented at the property.
- 1.4 A review of the application process for recent planning applications at this property has shown that they were processed in accordance with the Council's current standards and policies.

- 1.5 The development is being constructed slightly larger than shown on the approved plans of planning permission ref: P2928/04/DFU. There are two areas of this development that cause concern, namely the mid-point height of the single storey rear extension, and the insertion of an additional window in the flank elevation of the two storey side extension.
- 1.6 The Council's Planning Enforcement Service is reactionary, rather than being pro-active, and monitoring development. The provision of such a service would constitute an addition to performance within the Department, however, it would be out of character with the service provided by other Local Authorities, and would have budgetary implications.

Decision Required

Recommendation (for decision by the Development Control Committee).

1. The Development Control Committee agree that the Group Manager Planning and Development contact the owner of the property to negotiate amendments to the development under way, in particular:
 - i) the reduction in the height of the lintel on the single storey rear extension to secure a reduction in the roof height; and
 - ii) the removal of the ground floor window in the flank wall of the two storey side extension.
2. The Development Control Committee instruct the Group Manager Planning and Development to request that the owner of the property submits a further planning application to regularise the position in respect of the unauthorised works, including:
 - i) the additional projection of the front porch extension by 100mm
 - ii) the additional projection of the single and two storey rear extension by 150mm
 - iii) the use of facing brickwork on the flank wall of the part single, part two storey side extension
 - iv) minor changes to elevations
3. In the event that the owner does not carry out the agreed alterations, namely to block up the ground floor flank window opening, and to lower the lintel and the finished height of the single storey rear extension extension:
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) the lowering of the external lintel on the single storey rear extension by 200mm, with a consequent reduction in the height of the lean-to roof;
(ii) the blocking up of the ground floor flank window opening facing No. 33 Northumberland Road.
 - (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

4. The head petitioner and the separate complainants be informed accordingly.

Reason for report

To ensure that the unauthorised aspects of this development resulting in significant harm, are altered in the interests of safeguarding the amenity of neighbouring residents.

Benefits

To enhance the environment of the Borough and to safeguard the amenity of neighbouring residents.

Cost of Proposals

None at this stage.

Risks

Enforcement action would be likely to result in an appeal to the Planning Inspectorate. The Committee may consider that the course of action set out in the recommendation is appropriate in the circumstances, in order to resolve the situation locally.

Implications if recommendations rejected

Failure to take action would result in a continuing impact on the amenity of the occupiers of neighbouring properties.

Section 2: Report

2.1 Brief History

2.1.1 Planning application, ref. P/2928/04/DFU, for two storey side to rear, single storey front and rear extensions and rear dormer roof was granted on 11 January 2005. This permission is currently being implemented.

2.1.2 Planning application, ref. P/289/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer roof and change of use to three flats was refused on 21 March 2005. This decision is currently the subject of a planning appeal that has not yet been determined.

2.1.3 Planning application, ref. P/847/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer, and change of use to three flats was refused on 27 May 2005. This decision is currently the subject of a planning appeal that has not yet been determined.

2.1.4 Application, ref. P/1107/05/DCP, for a Certificate of Lawful Proposed Development to house 6 unrelated tenants living together as a single household was granted on 1 August 2005.

2.2 Options Considered

2.2.1 The property comprises a single-family dwellinghouse, with a tiled roof, and walls of coloured render over a belt of red bricks. As such, it is typical of the dwellinghouses in Northumberland Road, where several different colours of render are used. The colour of the render used on this property is similar to that of several others interspersed along the length of the road.

2.2.2 The owner of the property has indicated that he is implementing the granted planning permission for extensions to the property. A petition has been submitted to the Council relating to development at this property. The petition raises a number of concerns, which are addressed below:

i) Concern at the manner in which planning permission was granted:

Planning permission was granted in January 2005, quite properly, through the delegated powers of the Group Manager Planning & Development. In concluding that the development was acceptable Officers took into account the relevant policies of the adopted Harrow Unitary Development Plan, the Council's adopted Supplementary Planning Guidance "Extensions, a Guide for Householders", and the comments received from neighbouring residents.

ii) Concerns that the development is not being carried out in accordance with the approved plans:

The development under construction has been checked against the approved plans of planning permission ref: P/2928/04/DFU, and anomalies found. These also relate to the several specific points raised by complainants, which are addressed separately below for clarity.

iii) A lack of proper supervision of the work being carried out:

A reactionary Planning Enforcement Service is provided by Harrow Council, in a similar manner to other Local Authorities. The service provided responds to specific alleged breaches of planning control, but does not carry out pro-active investigations, or the monitoring of physical development. Should members feel that it is appropriate for the Council to provide such a service, it is recommended that a report relating to the options to deliver such a service should be submitted to the Committee at a later date.

2.2.3 In addition, local residents have raised a number of issues, not directly contained within the petition, relating to this development:

i) The erection of an eight-foot tall compounding fence:

Site hoardings erected around a construction site do not require an additional grant of planning permission.

ii) The use of yellow bricks in the flank wall of the two-storey side extension.

The walls of dwellinghouses in Northumberland Road are typically faced of a low section of red bricks with coloured render above. Different colours of render are interspersed along the length of Northumberland Road.

The flank wall of the extension at 31 Northumberland Road has been finished with a good quality facing brick, similar in colour to that of the render on the original dwellinghouse. It is likely that when these bricks weather in, they will be a reasonable match in colour. It is considered that the use of this material, in this colour, is not detrimental to the amenity of local residents, or the character of the street scene. Officers are also mindful of an appeal decision in respect of an Enforcement Notice (in Harrow Weald) that required the substitution of facing brickwork on the flank wall of a new extension, with white render to match the existing house and all the neighbouring houses in that part of the street. The appeal was allowed and the Enforcement Notice quashed.

iii) The single storey front extension extends outwards past the bay window:

Planning permission was granted for a front porch extension extending 250mm beyond the existing front bay.

There is a minor anomaly in the approved plans, in that the existing bay window projects outward further in the plans than on site. However, this does not alter the depth to which the approved plans show the front extension may be built, which is 1.25m beyond the front main wall.

The extension has been built to a greater depth than shown on the approved plans. Local residents claim this to be 400mm in front of the bay window. As such, it would appear that local residents claim the extension projects 140mm further than approved. However, measurements taken at the site indicate that the extension projects 100mm beyond the depth for which permission was granted.

Section A3 of the Council's supplementary planning guidance "Extensions, a Guide for Householders" indicates:

"Front porches and garage extensions will normally be appropriate. To safeguard the appearance of the property such extensions should not link into the existing bay windows or project significantly forward of the windows."

The single-storey front extension does not link into the bay window and it is considered that on this occasion the extension does not project significantly forward of the bay window. The additional projection of 100mm is considered to have no detrimental impact on either the appearance of the property or the streetscene, or on the amenity of neighbouring residents

iv) The Council's delegated report required recessed eaves to avoid encroachment, this has not been done:

As constructed the actual eaves and fascia of the roof have been set back from the boundary line with No. 33 Northumberland Road, although the guttering on the extension projects over the boundary by 100mm. The applicant has therefore constructed a partially-recessed eaves. This detail is considered to be a more visually acceptable solution than the use of a substantial parapet wall as originally proposed.

v) An additional ground floor window has been provided in the flank wall of the two-storey side extension.

The window opening was constructed to allow natural ventilation to a proposed bathroom. The owner of the property has now indicated his intention to fill the opening, reverting to the approved plans.

vi) The depth of the single and two-storey rear extension is shown as 3m on the approved plans, but it has been built at 3.15m:

The approved plans show rear extensions with a depth of 3 metres. However, the extension constructed is to a depth of 3.15 metres, resulting in an additional projection of 150mm. The owner of the land has indicated that the rear wall could not be built in accordance with the approved plans as it would foul a drainage pipe, and he therefore increased the depth of the extensions.

The Council's Supplementary Planning Guidance "Extensions, a householders guide" indicates:

Two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of the excessive bulk and loss of light. Such extensions must always comply with the 45° Code but will also be assessed against the relevant site conditions, in particular:

- The orientation of the house - siting south or west of the neighbour would normally be unacceptable
- The extent to which the proposal would rely for its setting on the garden of the adjoining house
- The location of the adjacent house and any existing extensions or other buildings at that property
- The use of the adjacent rear garden
- See also para B16

An inspection of the site revealed that the building as constructed does just break the 45° line projected from the corner of the adjoining property. The development site is to the south-east of the adjoining property, and as such has a minimal effect on light. This small increase in depth is considered to have a marginal impact on amenity, and does not result in significant harm being caused to the occupiers of the adjoining property at No. 33.

vii) The mid-point of the single storey rear extension is shown as being 3 metres high on the approved plans, but it has been constructed at a height of 3.26 metres:

The mid-point of the single storey rear extension has been measured at 3.14 metres high. The council's Supplementary Planning Guidance "Extensions, a Guide for Householders" indicates:

"A single storey rearward projection, adjacent to a boundary, of up to 3 metres beyond the rear main wall of adjacent semi-detached or detached houses would normally be acceptable.

The height of single storey rear extensions should be minimised to restrict the impact on the amenities of the neighbouring residents. Subject to site considerations, the finished height of an extension abutting a residential boundary should be a maximum of 3 metres on the boundary for a flat roof, and for a pitched roof 3 metres at the mid-point of the pitch at the site boundary."

The mid-point of the roof currently extends beyond 3 metres in height. The owner of the land has given an undertaking to reduce the height of the lintel above the rear door opening that supports the partially completed lean-to roof over the single storey rear extension. The lintel would be lowered in height by 200mm, which would result in a re-grading of the height and angle of the roof, thereby reducing the mid-point height and the height of the rear wall of the extension, at the furthest point from the original main wall.

The depth of the extension exceeds the Council's criteria. However, as stated above, the owner has offered to reduce the height of the extension. Accordingly, its impact on the occupiers of adjoining properties stands to be reduced. In these circumstances it is considered that the difference between the approved development and the resulting development is unlikely to constitute significant harm to the amenity of the residents of 29 Northumberland Road.

viii) The rear dormer roof extension is sited less than 1 metre from the roof eaves.

The rear dormer roof extension has been measured at 0.97 metres from the eaves. Such a small difference (30mm) between that constructed and the Council's minimum distance is considered to be 'de minimus' (of no account) and lies within tolerances that would normally be allowed to workmen within the construction process.

Conclusions

- 2.2.4 The development currently under construction differs from the approved plans of planning permission ref: P/2928/04/DFU in several minor ways. It is considered that the majority of these differences, whilst not desirable, do not result in significant harm to the occupiers of neighbouring dwellinghouses, or to the character of the street scene. In the areas of greater concern, namely, the height of the single storey side extension, and the window to the flank wall of the two storey side extension, the owner of the land has offered to carry out works of amelioration.
- 2.2.5 In these circumstances it is therefore recommended that the Group Manager Planning and Development be authorised to pursue the proposed amendments to this development.

The alleged breach of planning control

- 2.2.5 Without planning permission:
- i) the insertion of a new window opening on the ground floor flank elevation, facing No. 33 Northumberland Road; and
 - ii) the construction of the height of the single storey rear extension in excess of that granted planning permission in P/2928/04/DFU without complying with the permission.

Reasons for issuing the notice

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

The single storey rear extension, by reason of excessive bulk and height, would be unduly obtrusive, result in loss of light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjacent property, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

The ground floor flank window would result in indirect or perceived overlooking of the adjoining property, No. 33 Northumberland Road and result in an unreasonable loss of privacy to the occupiers, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

- 2.2.7 The Council does not consider that Planning permission should be granted because planning conditions cannot overcome these problems.

2.3 Consultation

Ward Councillors copied for information.

2.4 Financial Implications

None at this stage.

2.5 Legal Implications

Included within the report.

2.6 Equalities Impact

None.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

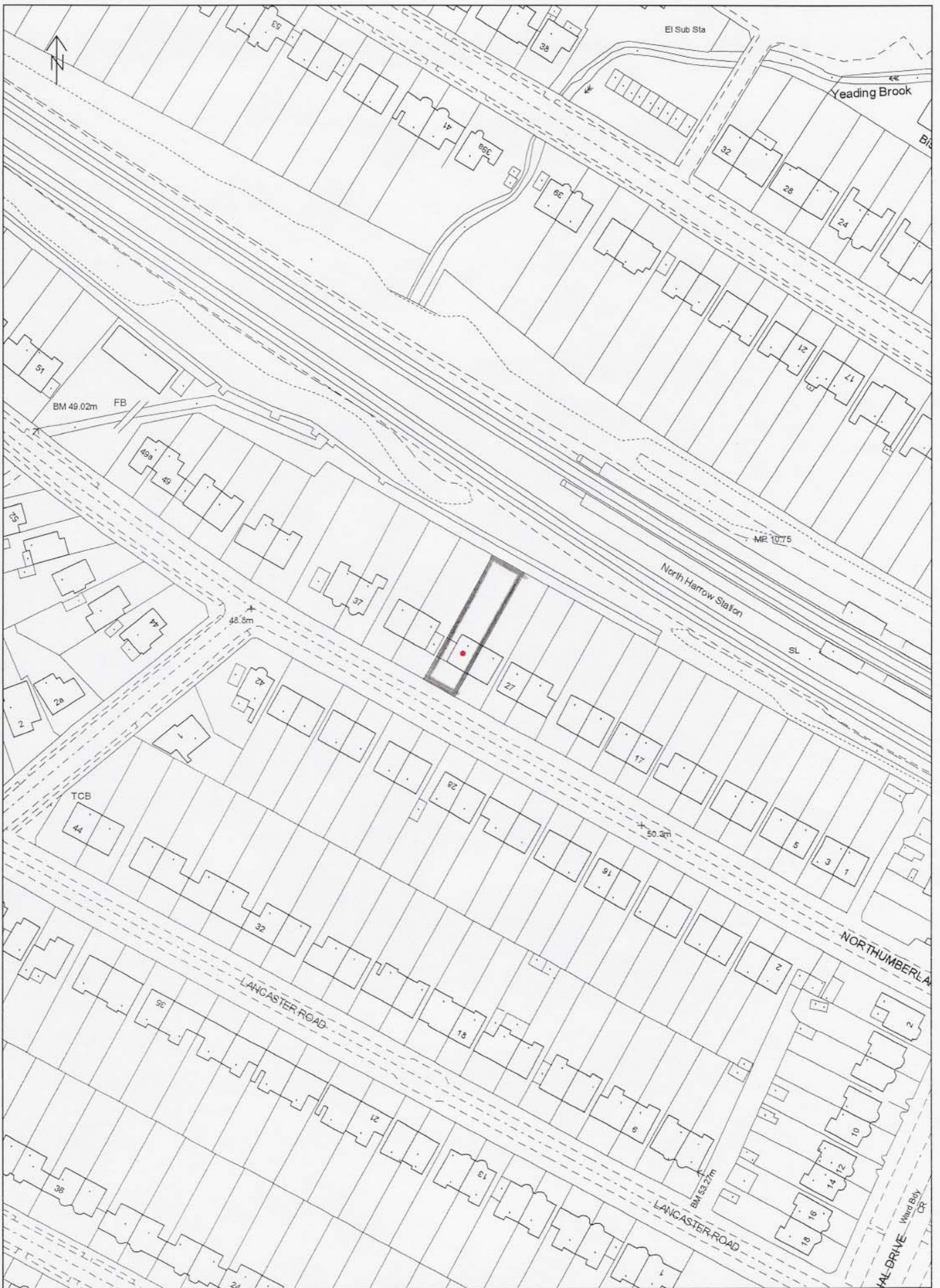
None.

Section 3: Supporting Information/Background Documents

Background Documents:

Planning applications: P/2928/04/DFU
 P/289/05/DFU
 P/847/05/DFU

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