



**DEVELOPMENT CONTROL
COMMITTEE
WEDNESDAY 15 MARCH 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 15 MARCH 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 - 18)

That it be agreed that, having been circulated, the Chair be given authority to sign the minutes of the meeting held on 8 February 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 19 - 22)
Report of the Group Manager (Planning and Development).

FOR INFORMATION

- Enc. 13. **Enforcement Notices Awaiting Compliance:** (Pages 23 - 32)

FOR INFORMATION

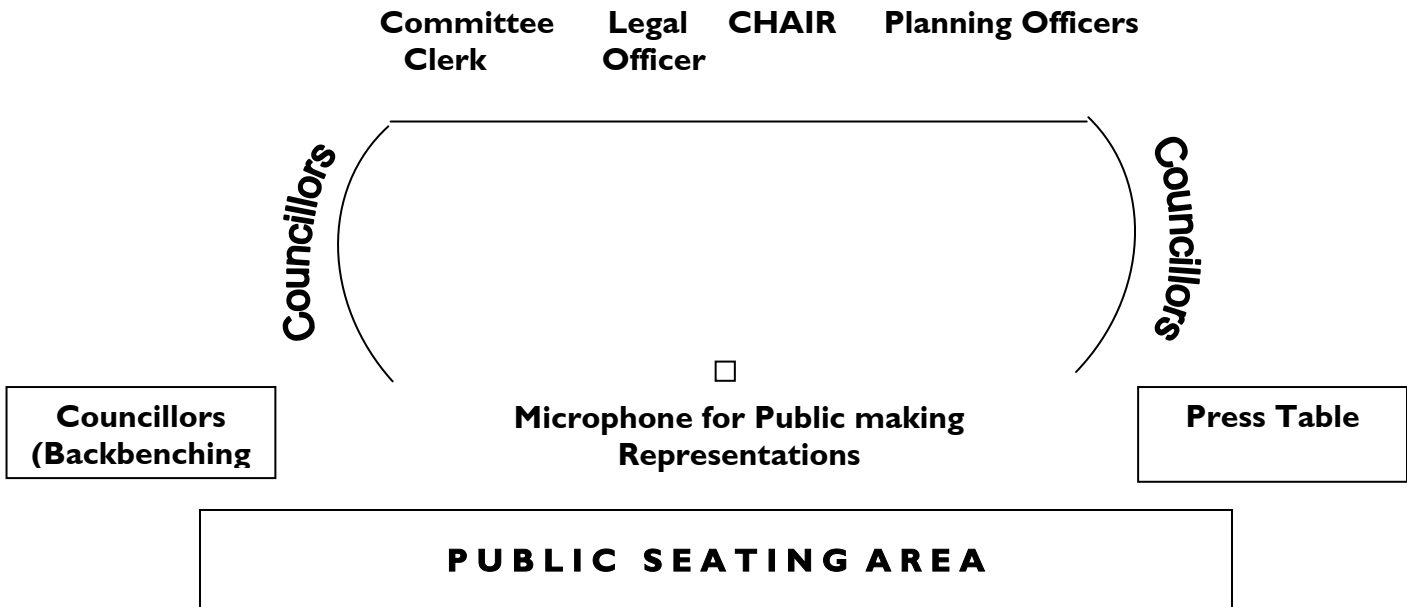
- Enc. 14. **Cloisters Wood, Wood Lane, Stanmore:** (Pages 33 - 52)
Report of the Group Manager (Planning and Development).
- Enc. 15. **31 Northumberland Road, North Harrow:** (Pages 53 - 82)
Report of the Group Manager (Planning and Development).
- Enc. 16. **190 Whittington Way, Pinner:** (Pages 83 - 94)
Report of the Group Manager (Planning and Development).
- Enc. 17. **127A and 127B Ruskin Gardens, Kenton, Harrow:** (Pages 95 - 110)
Report of the Group Manager (Planning and Development).
- Enc. 18. **462 Honeypot Lane, Stanmore:** (Pages 111 - 118)
Report of the Group Manager (Planning and Development).
19. **Service road to the rear of 62-72 Orchard Grove, Kenton:** (Pages 119 - 130)
Report of the Group Manager (Planning and Development).

- Enc. 20. **Land at rear of 540 Uxbridge Road, Hatch End:** (Pages 131 - 138)
Report of the Group Manager (Planning and Development).
21. **Any Other Urgent Business:**
Which cannot otherwise be dealt with.

AGENDA - PART II (PRESS AND PUBLIC EXCLUDED) - NIL

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

Committee Room Layout



Order of Committee Business

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

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

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

Rights of Objectors/Applicants to Speak at Development Control Committees

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

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

Planning Services advises neighbouring residents and applicants of this procedure.

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

Addendum Sheet

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

Decisions taken by the Development Control Committee

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

Refuse permission:

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

Grant permission as recommended:

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

Minded to grant permission contrary to officer's recommendation:

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

Defer for a site visit:

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

Defer for further information/to seek amendments:

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

Grant permission subject to a legal agreement:

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

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

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 8 FEBRUARY 2006

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Idaikkadar
* Mrs Bath * Kara (1)
* Billson * Miles
* Bluston * Mrs Joyce Nickolay
* Choudhury * Thornton

* Denotes Member present
(1) Denotes category of Reserve Members

[Note: Councillors John Cowan, Mrs Kinnear, Omar, N Shah and Silver also attended this meeting to speak on the items indicated at Minute 1090 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1089. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Janet Cowan	Councillor Kara

1090. **Right of Members to Speak:**

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

Councillor John Cowan	Planning Application 2/14
Councillor Mrs Kinnear	Planning Application 5/01 and Main Agenda Items 14 and 16
Councillor Omar	Planning Application 2/12
Councillor N Shah	Planning Application 2/02
Councillor Silver	Planning Application 2/12 and Main Agenda Item 19

[Note: Subsequently, Councillors John Cowan and Omar elected not to speak on planning applications 2/14 and 2/12 respectively, and planning application 2/02 was deferred for consideration by the Committee at its next meeting].

(See also Minute 1091)

1091. **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 2/12 – 25 Hawthorn Drive
Having declared a personal interest at the start of the meeting in the above item arising from the fact that he lived in Hawthorn Drive, during discussion on the item, and after having sought advice from the Legal Officer, Councillor Omar, who was not a Member of the Committee, declared a prejudicial interest and, accordingly, left the room and did not take any further part in the discussion on this item.

- (ii) Planning Application 2/13 – 2 Kelvin Crescent, Harrow
Councillor Marilyn Ashton declared a prejudicial interest in the above application. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (iii) Planning Application 2/13 – 2 Kelvin Crescent, Harrow
Councillor Mrs Bath declared a prejudicial interest in the above application. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (iv) Planning Application 2/13 – 2 Kelvin Crescent, Harrow
Councillor Kara declared a prejudicial interest in the above application. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.
- (v) Planning Application 2/13 – 2 Kelvin Crescent, Harrow
Councillor Mrs Joyce Nickolay declared a personal interest in the above application arising from the fact that she was acquainted with the next door neighbour. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.
- (vi) Planning Application 2/13 – 2 Kelvin Crescent, Harrow
Councillor Billson declared a personal interest in the above application arising from the fact that he was acquainted with the next door neighbour. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (vii) Planning Application 2/14 – 21-40 Canons Park Close, Donnefield Avenue, Edgware
Councillor Bluston declared a personal interest in the above application arising from the fact that his wife was a member of the tennis club at the back of the park and he sometimes played tennis there. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (viii) Planning Application 2/14 – 21-40 Canons Park Close, Donnefield Avenue, Edgware
During discussion on the above item, and having sought advice from the Legal Officer, Councillor John Cowan, who was not a Member of the Committee, and had not declared an interest in the item at the start of the meeting, declared an interest arising from the fact that he and his wife were non-executive members of the Canons Park Residents' Association and his wife was a non-executive member of the Friends of Canon Park. He elected to leave the room and did not take any further part in the discussion on this item.
- (ix) Planning Applications 2/17 and 2/18 – East End Farm, Moss Lane, Pinner
Councillor Bluston declared a prejudicial interest in the above related applications. Accordingly, he would leave the room and take no part in the discussion or decision-making on these items.
- (x) Planning Application 3/03 – 140 Wemborough Road, Harrow
Councillor Marilyn Ashton declared a prejudicial interest in the above application. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (xi) Planning Application 3/03 – 140 Wemborough Road, Harrow
Prior to discussing the above item, Councillor Bluston, who had not declared an interest in the item at the start of the meeting, declared a prejudicial interest arising from the fact that he had been approached by an objector to the development during the course of the meeting. Accordingly, he left the room and did not take any part in the discussion or decision-making on this item.
- (xii) Planning Application 3/03 – 140 Wemborough Road, Harrow
Councillor Thornton declared a prejudicial interest in the above application. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.

(See also Minute 1090)

1092. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.
8. Deputation – 31 Northumberland Road, North Harrow	The request for a deputation had been received after the main agenda had been printed and circulated.
21. Staffing Situation in the Committee Team of the Development Control Section	To note that there was an acute shortage of management staff in the Committee Team (Planning and Development Service) which had come to light due to the recent departure of a senior member of staff.

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

1093. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 11 January 2006, those minutes having been circulated, as a correct record, once printed in the Council Bound Volume.

1094. **Public Questions:**

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

1095. **Petitions:**

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

- (i) Petition objecting to Planning Application P/2971/05/CFU – 38 Cecil Park and 58 Marsh Road Pinner (Reddiford School)
Councillor Mrs Joyce Nickolay presented the above petition, which had been signed by 84 residents of Cecil Park, Pinner.
- (ii) Petition regarding concerns about the built out pavement at the Kings Head
Councillor Mrs Kinnear presented the above petition, which had been signed by 124 people.

1096. **Deputations:**

The Committee received a deputation on behalf of residents of Northumberland Road, which outlined their concerns regarding the development at 31 Northumberland Road. The deputees stated that residents found the recommendations in the report of the Group Manager (Planning and Development) to be unacceptable, and described seven areas which residents believed required remedial action. The deputees emphasised that residents did not consider that the breaches of planning permission should be dealt with via a retrospective planning application.

RESOLVED: That the above be noted.

(See also Minute 1107)

1097. **References from Council and other Committees/Panels:**

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

1098. **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 2/02, 2/12, 2/13, 2/14, 2/17 and 2/18 on the list of planning applications.

[Note: Planning Applications 2/02, 2/17 and 2/18 were subsequently deferred for consideration at the next meeting of the Committee].

1099. **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.

1100. **Planning Appeals Update:**

RESOLVED: (1) To note the report;

(2) that officers be requested to explore whether it would be possible to hold an informal hearing rather than written representations for 7 West Drive Gardens.

1101. **Enforcement Notices Awaiting Compliance:**

RESOLVED: To note the report.

1102. **19 Victoria Terrace, Harrow on the Hill:**

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 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 (i) and (ii) above from the land.

(i), (ii) and (iii) 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.

(See also Minute 1090)

1103. **Rear of 48 The Avenue, Harrow Weald:**

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 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 plan attached to the report of the Group Manager (Planning and Development);

SECOND SCHEDULE – The Steps Required to be Taken

- (i) reduce the height of the vegetation (except any tree with a trunk width of more than 100mm) so that the vegetation on the Land is no more than 100mm in height from ground level;
- (ii) permanently remove all material arising from compliance with Step (i) above from the land;
- (iii) permanently remove all household rubbish and litter from the Land;
- (iv) permanently remove the section of fence that has fallen down, from the land.

1104. **Ravensholt, 12 Mount Park Road, Harrow on the Hill:**

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

A Member, who was not a Member of the Committee, expressed concern that the impact the development had on the Conservation Area and Metropolitan Open Land had been omitted from the report.

RESOLVED: That officers be requested to (1) revise the report in accordance with comments made by Members; and

(2) submit the revised report for consideration by the Committee.

(See also Minute 1090)

1105. **147 Roxeth Green Avenue, Harrow:**

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

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

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

- (i) the demolition of the 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 (i), (ii) and (iii) above.

(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;

(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.

1106. **63 College Road, Harrow Weald:**

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

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

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

- (i) the demolition of the detached outbuilding;
- (ii) the permanent removal of the materials arising from compliance with the requirement in (i) above.

(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.

1107. **31 Northumberland Road, North Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in this regard and heard a deputation from residents of Northumberland Avenue.

Members of the Committee expressed the view that they did not support the recommendation of the Group Manager (Planning and Development) that the owner of the property be requested to submit a further planning application to regularise the position in relation to the unauthorised additional front and rear projections.

RESOLVED: That (1) the Recommendations set out in the officer's report not be agreed;

(2) officers be requested to submit an enforcement report relating to the additional projection of the front porch extension by 100mm and the additional projection of the single and two storey rear extension by 150mm for consideration by the Committee at its next meeting.

(See also Minute 1090 and 1096)

1108. **Staffing Situation in the Committee Team of the Development Control Section:**

This item had been added to the agenda at the request of the Nominated Member for the Conservative Group, who had indicated her wish for the Committee to understand the full status of the staffing situation in respect of recruitment and retention in the Development Control Section of the Planning and Development Service, in particular the Committee Team within that Section.

Officers provided the Committee with a verbal update on the current numbers of staff employed within the Section, and future plans for recruitment.

RESOLVED: That (1) the current staffing position be noted;

(2) officers be requested to keep the Committee informed of any significant changes to the position.

1109. **Any Other Business:**

- (i) Member Site Visits

RESOLVED: That the following site visit be held on Saturday 25 February 2006:

9.30 am - 21-40 Canons Park Close, Donnefield Avenue, Edgware

- (ii) Disclosure of Information Prior to Meetings of the Committee

In response to concerns expressed by Members of the Committee during that meeting, it was

RESOLVED: That (1) officers be reminded that officer recommendations for deferral included on the Addendum require ratification by the Committee;

(2) the above be made clear to any members of the public with an interest in an application that has been recommended for deferral who contact officers prior to the meeting.

1110. **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 11.00 pm;

(2) at 11.00 pm to continue until 11.30 pm;

(3) at 11.30 pm to continue until 11.40 pm;

(4) at 11.40 pm to continue until 11.55 pm;

(5) at 11.55 pm to continue until 12.00 midnight.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.56 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/2434/05/CFU
LOCATION: Former Pinner Telephone Exchange, 73 Marsh Road, Pinner
APPLICANT: Rippon Development Services for Telereal Services Ltd
PROPOSAL: Redevelopment: Detached 4 storey building to provide 38 flats, access and basement parking
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons reported, as amended on the Addendum.

LIST NO: 1/02 **APPLICATION NO:** P/3017/05/CFU
LOCATION: 190/194 Station Road, Harrow
APPLICANT: Design West Architectural Serv for Scan Corporation Ltd
PROPOSAL: Extensions and alterations to provide a 3 storey building, restaurant (A3 use) at ground floor and 12 flats at first and second floors (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, as amended on the Addendum.

LIST NO: 1/03 **APPLICATION NO:** P/2842/05/CFU
LOCATION: Comfort Inn, 2-12 Northwick Park Road & 57 Gayton Road, Harrow
APPLICANT: Morrison Design Ltd for Comfort Inn
PROPOSAL: 2 and 3 storey blocks to provide 49 flats, surface and basement parking
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/2792/05/CFU
LOCATION: Comfort Inn, 2-12 Northwick Park Road, Harrow
APPLICANT: Morrison Design Limited for Comfort Inn
PROPOSAL: Part 2 / part 3 storey extension to provide additional bedrooms and conference facilities; rearranged rear car parking
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported.

LIST NO: 1/05 **APPLICATION NO:** P/1060/05/CFU
LOCATION: Land to the north of Kiln House, Kiln Nursery, Common Road, Stanmore
APPLICANT: A J Emmanuel for M George
PROPOSAL: Construction of 4 x 3 storey detached block to provide 48 flats, access and parking
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported.

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/2767/05/DFU
LOCATION: Land rear of 71 & 73 West End Avenue, Pinner
APPLICANT: Adelaide Jones for Mercury Developments (UK) Ltd
PROPOSAL: Two storey detached house with garage (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: 2/02 **APPLICATION NO:** P/2869/05/DFU
LOCATION: 6 & 8 Langland Crescent, Stanmore
APPLICANT: K H Hirani for N H Hirani & K K Hirani
PROPOSAL: Single storey rear extension to both houses
DECISION: DEFERRED for consideration by the Committee at its next meeting.

[Notes: (1) Officers had recommended, on the Addendum, that the application be deferred to allow further consideration of the proposals;
(2) subsequently, a Member of the Committee proposed that the application be considered at this meeting;
(3) a member of the public who had provided notification of their intention to make representation in respect of the application had been advised by officers prior to the meeting that the application would be recommended for deferral;
(4) consequently, the member of the public who had wished to make representation in respect of the application did not attend the meeting;
(5) in the absence of the member of the public who wished to make representation in respect of the application, the Committee agreed to defer the application for consideration at its next meeting].

(See also Minute 1090, 1098 and 1109)

LIST NO: 2/03 **APPLICATION NO:** P/2474/05/CFU
LOCATION: 29-33 The Bridge, Wealdstone
APPLICANT: Paul Williams for Enterprise Rent-a-Car UK Ltd
PROPOSAL: Change of Use: Tyre/exhaust fitting (Class B2) to car rental (Sui generis)
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/2743/05/DFU
LOCATION: 150 Roxeth Green Avenue, South Harrow
APPLICANT: James Rush Associates for R Kanwar
PROPOSAL: Conversion of dwellinghouse to two self-contained flats; forecourt parking and bin store
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

LIST NO: 2/05 **APPLICATION NO:** P/2850/05/DFU
LOCATION: Land to R/O 2, 4 & 6 Uppingham Avenue, Stanmore
APPLICANT: PHD Chartered Town Planners for Henry Homes plc
PROPOSAL: Two 2-storey semi-detached houses fronting Streatfield Road with forecourt 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: 2/06 **APPLICATION NO:** P/2803/05/DFU
LOCATION: 99 Welldon Crescent, Harrow
APPLICANT: David R Yeaman & Associates for Mr P Shah & Mr M Shah
PROPOSAL: Rear dormer and conversion of dwellinghouse to three self contained flats (Resident Permit Restricted)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

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

- (i) The proposal represents an over-intensification of the site to the detriment of the residential amenities of the neighbouring properties by reason of the additional activity that would be generated by converting one single family dwelling into 3 separate units.
- (ii) There is no access to the rear garden from the flats on the upper floors thereby providing no amenity space to the detriment of the residential amenities of the future occupiers of the properties.

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

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

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

LIST NO: 2/07 **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 as officers were still awaiting clarification of proposal and additional consultations

LIST NO: 2/08 **APPLICATION NO:** P/2710/05/CFU
LOCATION: 55 Eastcote Avenue, Harrow
APPLICANT: B J Woodford for Albion Homes
PROPOSAL: Demolition of dwelling and replacement building to provide 4 flats; parking at front and rear

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

LIST NO: 2/09 **APPLICATION NO:** P/2973/05/CFU
LOCATION: 18 Brookshill Avenue, Harrow
APPLICANT: B Taylor for Mr & Mrs Hooper
PROPOSAL: Two storey side and single storey rear extension
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/2553/05/DFU
LOCATION: 301/303 Burnt Oak Broadway, Edgware
APPLICANT: A1 Lofts Ltd for Lawsons
PROPOSAL: Alterations to roof of 2 storey office/display building to provide gable ends, 2 x front dormers, roof windows
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, as amended in the Addendum, subject to the conditions and informatives reported.

LIST NO: 2/11 **APPLICATION NO:** P/2708/05/DFU
LOCATION: 13 Chester Court, Sheepcote Road, Harrow
APPLICANT: Mr Paul Parsons for Mr Roy Sippy
PROPOSAL: Third floor extension to both sides and conversion from one to two self-contained flats (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: 2/12 **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: REFUSED permission for the development described in the application and submitted plans, for the following reasons:

- (i) The proposed under provision in parking would give rise to overspill parking on this busy and narrow road to the detriment of highway safety and to the loss of residential amenity.
- (ii) The proposed development would give rise to increased activity and disturbance which would be detrimental to the amenity of neighbouring residents.

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

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

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

(See also Minute 1090, 1091 and 1098)

LIST NO: 2/13 **APPLICATION NO:** P/2983/05/DFU
LOCATION: 3 Kelvin Crescent, Harrow
APPLICANT: Anthony J Blyth and Co for Mr & Mrs V Arthur
PROPOSAL: 2 storey side and single storey front extension
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

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

(See also Minute 1091 and 1098)

LIST NO: 2/14 **APPLICATION NO:** P/2545/05/CFU
LOCATION: 21-40 Canons Park Close, Donnefield Avenue, Edgware
APPLICANT: David Kann Associates for Ember Homes Ltd
PROPOSAL: Additional floor on building to provide 8 flats, one detached house, frontage parking & removal of garage & alterations
DECISION: DEFERRED for a Member site visit

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

(2) during discussion on the above item, it was moved that the application be refused;

(3) subsequently, it was proposed that a Member site visit take place before the application was determined;

(4) consequently, the motion to refuse the application was withdrawn].

(See also Minute 1090, 1091, 1098 and 1109)

LIST NO: 2/15 **APPLICATION NO:** P/2854/05/CLB
LOCATION: 38 Little Common, Stanmore
APPLICANT: Forward Architecture for Mrs E Glassman
PROPOSAL: Listed Building Consent: Internal alterations
DECISION: GRANTED listed building consent in accordance with the works described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/16 **APPLICATION NO:** P/2855/05/CLB
LOCATION: 38 Little Common, Stanmore
APPLICANT: Forward Architecture for Mrs E Glassman
PROPOSAL: Listed Building Consent: New window on rear elevation, glaze existing opening on front elevation & internal alterations
DECISION: GRANTED listed building consent in accordance with the works described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/17 **APPLICATION NO:** P/2953/05/CFU
LOCATION: East End Farm, Moss Lane, Pinner
APPLICANT: Foundation Architecture for Mr & Mrs B Leaver
PROPOSAL: Conversion of barns A and B to family dwellinghouse with integral garage and external alterations
DECISION: DEFERRED for consideration by the Committee at its next meeting.

[Notes: (1) Officers had recommended, on the Addendum, that the application be deferred to allow English Heritage further time for consideration;

(2) subsequently, officers advised the Committee that this was an error and recommended that the application be considered at this meeting;

(3) a member of the public who had provided notification of their intention to make representation in respect of the application was in attendance;

(4) the applicant or their representative was not in attendance;

(5) since the Committee could not be satisfied that the applicant or their representative was aware that the application would be considered at this meeting, the Committee agreed to defer the application for consideration at its next meeting]

(See also Minute 1091, 1098 and 1109)

LIST NO: 2/18 **APPLICATION NO:** P/2954/05/CLB
LOCATION: East End Farm, Moss Lane, Pinner
APPLICANT: Foundation Architecture for Mr & Mrs B Leaver
PROPOSAL: Listed Building Consent: Conversion of barns A and B to single family dwellinghouse with integral garage and external and internal alterations and repairs to Barn C
DECISION: DEFERRED for consideration by the Committee at its next meeting.

[Notes: (1) Officers had recommended, on the Addendum, that the application be deferred to allow English Heritage further time for consideration;

(2) subsequently, officers advised the Committee that this was an error and recommended that the application be considered at this meeting;

(3) a member of the public who had provided notification of their intention to make representation in respect of the application was in attendance;

(4) the applicant or their representative was not in attendance;

(5) since the Committee could not be satisfied that the applicant or their representative was aware that the application would be considered at this meeting, the Committee agreed to defer the application for consideration at its next meeting]

(See also Minute 1091, 1098 and 1109)

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO:	3/01	APPLICATION NO:	P/2373/05/DCO
LOCATION:	20 The Avenue, Harrow Weald		
APPLICANT:	A R P Associates for Mr C Patel		
PROPOSAL:	Retention of single/two storey dwellinghouse attached to No.20 The Avenue		
DECISION:	<p>(1) REFUSED permission for the development described in the application and submitted plans for the reason and informatives reported.</p> <p>(2) RESOLVED that the Director of Legal Services be authorised to:</p> <ul style="list-style-type: none"> (a) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring: <ul style="list-style-type: none"> (i) cessation of the use of the extension as a separate dwellinghouse; (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect; (b) 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; (c) institute legal proceedings in event of failure to: <ul style="list-style-type: none"> (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. 		

LIST NO:	3/02	APPLICATION NO:	P/2834/05/DFU
LOCATION:	31 Elms Road, Harrow		
APPLICANT:	Carl O'Boyle for Tayross Homes Ltd		
PROPOSAL:	Detached single/2 storey house with rooms in roof, detached garage, access from Stamford Close		
DECISION:	REFUSED permission for the development described in the application and submitted plans for the reason and informative reported.		

[Note: Prior to considering the above application, the Committee noted that confirmation had been received from the Planning Inspectorate that an appeal which had been submitted by the applicant on 1 February 2006 against non-determination had not been validated].

LIST NO:	3/03	APPLICATION NO:	P/2903/05/DFU
LOCATION:	140 Wemborough Road, Stanmore		
APPLICANT:	Mr A M Meri for Mr Pravin Patel		
PROPOSAL:	Retention of 2-storey and single storey front, side and rear extensions, rooflight and external alterations		
DECISION:	<p>(1) REFUSED permission for the development described in the application and submitted plans for the reasons and informative reported.</p> <p>(2) RESOLVED that the Director of Legal Services be authorised to:</p> <p>(a) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:</p> <p>(i) reduction of the external height of the single storey front, side and rear extensions by 500mm (0.5m)</p> <p>(ii) should be complied with within a period of six (6) months from the date on which the Notice takes effect;</p> <p>(b) 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;</p> <p>(c) institute legal proceedings in event of failure to:</p> <p>(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</p> <p>(ii) comply with the Enforcement Notice.</p>		

(See also Minute 1091)

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

LIST NO:	4/01	APPLICATION NO:	P/2956/05/CNA
LOCATION:	Edgware Community Hospital, Burnt Oak Broadway, London		
APPLICANT:	Philp Allard for Barnet NHS Primary Care Trust		
PROPOSAL:	Consultation: New access, parking for mobile MRI scan unit		
DECISION:	NO OBJECTION to the development set out in the application, subject of regard being had to the informative reported.		

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO:	5/01	APPLICATION NO:	P/3018/05/CFU
LOCATION:	Land at Sudbury Hill, Harrow, near junction South Hill Avenue		
APPLICANT:	LCC UK for T Mobile UK Ltd		
PROPOSAL:	8 metre high telecommunications mast and 3 equipment cabinets		
DECISION:	REFUSED permission for the development described in the application and submitted plans for the following reason and the informative reported:		

- (i) The proposed development, by reason of its excessive size, appearance, prominent siting and proximity to existing street furniture, would give rise to a proliferation of street furniture to the detriment of visual amenity and appearance of the street scene and the area in general; it would fail to preserve or enhance the character and appearance of, and would adversely affect important views in, the Sudbury Hill Conservation Area.

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

(See also Minute 1090)

LIST NO:	5/02	APPLICATION NO:	P/3179/05/CDT
LOCATION:	Land R/O Carrington Square, Uxbridge Road		
APPLICANT:			
PROPOSAL:	Determination: 11.7M high telecommunications mast and equipment cabins		
DECISION:	<p>(1) RESOLVED that prior approval of siting and appearance was required.</p> <p>(2) REFUSED approval of details of siting/appearance for the following reason:</p> <p>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 the area and the amenity of the neighbouring residents.</p> <p>[Note: The officer's report for the above application had been circulated on the Second Addendum].</p>		

LIST DATE: 27.02.06

APPEALS BEING DEALT WITH

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	QUESTIONNAIRE DUE/SENT	STATEMENT DUE	SITE VISIT DATE/TIME
033 Orchard Grove (Enforcement)	3419	GDM	Form rec'd 08.12.05	– awaiting start date	
035 Orchard Grove (Enforcement)	3420	GDM	Form rec'd 08.12.05	– awaiting start date	
36 Elms Road, Harrow	3431	MRE	Sent 31.01.06	28.02.06	
239 Portland Crescent, Stanmore	3433	MRE	Sent 16.02.06	15.03.06	
8 Langland Crescent	3434	JW	Sent 24.02.06	16.03.06	
83 Drury Road, Harrow	3435	RM2	Due 03.03.06	31.03.06	
86 Eastcote Lane, Harrow	3436	SW2	Sent 21.02.06	20.03.06	
46 Repton Road (Enforcement)	3437	DMC	Sent 21.02.06	21.03.06	
103 Dale Avenue, Edgware	3438	DEL(E)	Form rec'd 06.02.06	– awaiting start date	
103 Dale Avenue, Edgware	3439	DEL(E)	Form rec'd 06.02.06	– awaiting start date	
11 Evelyn Drive, Pinner	3440	OH	Sent 27.02.06	24.03.06	
31 Elms Road, Harrow	3441	TEM	Sent 24.02.06	24.03.06	
63 Bonnersfield Avenue, Harrow	3442	SW2	Due 06.03.06	03.04.06	
18 Alfriston Avenue, Harrow	3443	SW2	Due 06.03.06	03.04.06	
Oakhurst Heights, 14A Mount Park Road	3444	KMS	Due 09.03.06	06-04.06	
Corner of Kenton Lane/Mountside,	3445	SC2	Due 10.03.06	07.05.06	

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
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		
85 & 87 London Rd	3351	DT	Sent 18.08.05	04.04.06	Planning Conf Rm
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	Sent 30.01.06	
34 Cornwall Rd	3422	GW	Due 22.02.06	25.04.06 Planning Conf Rm
130 Stanmore Hill	3428	SC	Due 02.03.06	
	3429			
	3430			
7 West Drive Gardens	3427	TEM	Due 06.04.06	
19 & 21 R/O 11-29 Alexandra Avenue	3375	RS	Sent 05.10.05	
Former Pinner Telephone Exchange,	3346	RP1	Due	

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	
23 High Street, Wealdstone	3376	RS	Sent 16.10.05	01.08.06 (1 day) off	C.Chamber	
50-54 Northolt Rd	3424	RJS	Due 03.03.06	09.05.06 (1 day) offered		
	3425					

APPEALS AWAITING DECISION

WRITTEN REPRESENTATIONS	APPEAL REF:	OFFICER	STATEMENT SENT	FINAL COMMENTS DUE (LPA & APPELLANT ONLY)	SITE VISIT DATE/TIME
21-23 Woodhall Drive, Pinner	3316	JH	23.03.05	Expired	15.02.06 @ 09:00
220 Shaftesbury Avenue, Harrow	3354	KMS	06.09.05	Expired	19.10.05 @ 13:00
9 Carrington Square	3344	GW	06.09.05	Expired	
159 Village Way	3392	RM2	09.11.05(q)	Expired	
2 Ashcroft, Pinner	3401	CM2	02.12.05(q)	Expired	15.02.06 @ 10:00
218 Shaftesbury Avenue	3404	DT2	02.12.05(q)	Expired	
Highway Lnd - Sudbury Hill, Opp South Hill Ave	3395	SC2	02.12.05	Expired	
Katies Kitchen, 4 Forward Drive	3394	TEM	12.12.05	Expired	15.02.06 @ 12:15
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

302-306 Uxbridge Road	3406	RJS	22.12.05(q)	Expired	
15 & 15A Parkfield Road	3399	KMS	23.12.05	Expired	15.02.06 @ 13:30
7 Stroud Gate, Harrow	3400	RM2	29.12.05	Expired	15.02.06 @ 14.45
Orchard End, Nugents Park	3402	RM2	03.01.06	Expired	
9 Broadfields, Harrow	3403	SW2	03.01.06	Expired	15.02.06 @ 11:00
258 Torbay Road, Harrow	3405	KMS	05.01.06	Expired	
44 College Hill Road, Harrow Weald	3407	TEM	18.01.06	Expired	
74 Uxbridge Road, Harrow Weald	3408	DT2	20.01.06	Expired	
1 Butler Avenue	3409	PDB	10.01.06(q)	Expired	
79 Pinner Hill Road	3410	SW2	25.01.06	Expired	
Land R/O 71-83 Canterbury Rd	3413	DT	01.02.06	Expired	
123 Sylvia Ave	3414	KMS	31.01.06	Expired	
408-410 Uxbridge Road, Hatch End	3426	PDB	08.02.06(q)	21.03.06	
Land r/o 32-38 Greenford Road, Harrow	3418	RPI	15.02.06	Expired	
44 A Howberry Road, Edgware	3415	RB3	15.02.06	09.03.06	
83B Hindes Road, Harrow	3416	PDB	17.02.06	10.03.06	
64 Lucas Avenue, Harrow	3417	SW2	16.02.6	10.03.06	
44 Harley Crescent Harrow	3432	MRE	23.02.06	16.03.06	
Land Adjoining 2 Fairholme Rd	3423	KMS	27.02.06	20.03.06	

HEARINGS	APPEAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
The Gardens, r/o Pinner Road	3309	TW	Sent 02.03.05	01.02.06	Plng Conf Room

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

DECISIONS (since 01.12.05)				
APPEAL REF:	OFFICER	DECISION	DATE	
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	CM	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
408 Uxbridge Road, Hatch End	3411	OH	WITHDRAWN	26.01.06
42 Beatty Road	3381	Del (e)	DISMISSED	02.02.06
77 Minehead Road	3384	PDB	DISMISSED	02.02.06
25-28 Belmont Circle	3385	TEM	ALLOWED	02.02.06
Wards P.H., 38/40 Lowlands Road	3398	TEM	DISMISSED	02.02.06
Land outside 48 Courtenay Avenue	3391	SC	ALLOWED	02.02.06
45 Whitchurch Gardens	3397	JP	DISMISSED	02.02.06
Harrow Hospital	3303	TW	WITHDRAWN	03.02.06
108 Whitchurch Lane	3421	TEM	INVALID	03.02.06
Junction Shaftesbury Avenue & Welbeck Rd	3390	SC	ALLOWED	03.02.06
209-213 Station Road, Harrow	3386	CM	ALLOWED	07.02.06
4 Eastcote Lane	3393	RM2	PART ALLOWED	23.02.06

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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 15 March 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. Enf Officer to prepare prosecution statement. Enf officer visiting site and preparing further action.
93 STANMORE HILL STANMORE New Shop front	ENF/530/02/EAST	GDM	Dec-02 14- January- 04	13-Dec-02 (Legal Contact Officer- AK)	19-Apr-04				12-DEC-04	Notice in draft. App now received to remedy. App refused, enforcement officer pursuing investigation. Borough Solicitor preparing notice. Report to Development Control Committee on 14 Jan 2004. Borough Solicitor preparing notice. Notice served. Site visited and notice appears not to have been complied with. Enf Officer wrote to owner. Enf Officer to draft prosecution statement. Negotiations have resulted in the provision of a new shop front, to the satisfaction of the Council's Conservation Team. No further action required.
8 KENTON ROAD HARROW Use of property as 5 self contained flats	ENF/326/02/EAST	GDM	15- January- 03	21-Jan-03 (Legal Contact Officer- CML)						To be the subject of a report to Committee. Reported to Development Control Committee on 5 November 2003, and subject to committee decision. Planning application submitted for change of use to 5 flats, P/719/04/DFU.
81 Roxeth Hill Harrow on the hill Erection of roof	ENF/24/05/P Appeal 3308	DMC		(Legal Contact Officer- AK)	8-Dec-04	14-Jan-05	Hearing 18-Oct-05	9 Months	Compliance date 19/7/06	AB / RD checking when roof was erected. Borough Solicitor preparing notice. Notice prepared. Appeal part allowed. The property owner is required to removed roof extension and reinstate the roof to its former condition or build in accordance with planning permission P/93/05/DFU the compliance period has been varied from 3

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 2006

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

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
Extensions over 70 cubic metres. 61 Oxley Road Harrow	ENF/425/04/P	DMc	17-May-05	7-June-05 (Legal Contact Officer-CML)	20-Jun-05	14- Nov-05		6 months	15-May-06	Section 330 notice served on 20-June-05. Enf notice issued.
Erection of rear extension and wall 46 Repton Road, Kenton	ENF/565/04/P	DMc	27-July-05	10-Aug-05 (Legal Contact Officer-CML)	27- Oct-05	02- Dec-05	Appeal received	3 months	03-Mar-06	S330 notice served on 25-August-05.
Unauthorised change of use to a builders yard. 22 Walton Road, Harrow	ENF/530/03/P	RJP (report)	27-July-05	10-Aug-05 (Legal Contact Officer-CML)	17-Oct05	28-Nov-05		3 months	01-Mar-06	S330 notice served on 22-September-05
Unauthorised construction of a single storey rear extension and front porch. 4 Elm Park Stanmore	ENF/297/03/P	RJP	17-March-04 7-January-06	23-Mar-04 27-Jul-04 11-Jan-06 (Legal Contact Officer-CML)	10-Feb-06	17-Mar-06		6 Months	18-Sept-06	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. Notice served.
Unauthorised conversion of a detached garden building at the rear of the property to dwellinghouse 79 Pinner Hill Road, Pinner	ENF/183/05/P	DMc	9-November-05	28-Nov-05 (Legal Contact Officer-DG)	6-December-05	27-January-06		3 months	27-April-06	Notice served.
Unauthorised construction of a garage forward for the dwellinghouse. 875 Field End Road, Harrow	ENF/43/04/P	RJP (report)	9-November-05	28-Nov-05 (Legal Contact Officer-CML)	22-Feb-06	03-Apr-06		3 Months	4 July 2006	Notice served.
Unauthorised construction of a										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
single storey rear canopy. 83B Hindes Road, Harrow	ENF/45/05/P	RJP (Report) DMC (Case Officer)	7- December -05	CM) 9- December -05 (Legal Contact Officer- DG)	22-Feb-06	30-Mar-06		1 Month	01-May-06	Notice served.
Unauthorised construction of gates and railings over 1 metre in height adjacent to the highway										
343 High Road, Harrow Weald	ENF/968/04/P	RJP (report)	27-July-05	02-Sept- 05 (Legal Contact Officer- CML)	17-Nov-05	21-Dec-05		3 Months	22-Mar-06	S330 notice served on 22- September-05. Notice issued.
Storage of static caravan. 2 Weald Lane, Harrow Weald	ENF/44/04/P	DMc	27-July-05	10-Aug-05 (Legal Contact Officer- CML)	1- December -05	11-January- 06		3 Months	11-April-2006 The Notice has been complied with 13- January-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 meet. No further action required.
Unauthorised installation of extractor duct.										

Prosecutions for unlawful advertisements

ADDRESS	EN/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
25 LAKE VIEW, EDGWARE. HA7 4SF	ENF/33/03/P	DMC	22-April-03	16-Jul-03 (Legal Contact Officer- AK)						S330 notices served, Borough Solicitor preparing notice. Planning application lodged to vary condition. PP granted. Property changed hands. Enf Officer negotiating with new owner. Site visit undertaken 24-January- 2006. Planning permission implemented no breach in planning control. No further action required. New report required.
Breach of Conditions										
Harrow Hospital 88 Roxeth Hill Harrow		GDM	9- November -04	(Legal Contact Officer- DG)						

ENFORCEMENT NOTICES AUTHORISED, AWAITING SERVICE

ADDRESS	EN/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
25 LAKE VIEW, EDGWARE. HA7 4SF	ENF/33/03/P	DMC	22-April-03	16-Jul-03 (Legal Contact Officer- AK)						S330 notices served, Borough Solicitor preparing notice. Planning application lodged to vary condition. PP granted. Property changed hands. Enf Officer negotiating with new owner. Site visit undertaken 24-January- 2006. Planning permission implemented no breach in planning control. No further action required. New report required.
Breach of Conditions										
Harrow Hospital 88 Roxeth Hill Harrow		GDM	9- November -04	(Legal Contact Officer- DG)						

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
Erection of sales building 613 Kenton Lane, Kenton	ENF/373/05/P ENF/402/05/P	RJP (report)	6-June-05	30-June-05 (Legal Contact Officer-CML)						S330 notices served on 7 Sept 05 and 11 Oct 05. Draft notice prepared. Appeal submitted. Appeal reference 3358 allowed subject to conditions 17 January 2006. Enforcement Officer to monitor file to ensure compliance.
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-CAM)						Section 330 notice served on 4-November-05.
Erection of fencing 147 Roxeth Green Avenue, Harrow	ENF/731/04/P	GM (report) RJP (officer)	11-October-05 8-February-05	14-Oct-05 (Legal Contact Officer-DG)						Section 330 served on 17-October-05. Incorrectly reported to DC Committee, new report required.
Covered area at the rear of the dwelling 16A Whitchurch Lane, Kenton	ENF/502/04/P	DMc	7-December-05	9-December-05 (Legal Contact)						Section 330 served on 22 December-05
Unauthorised installation of gantry										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
Hill House, 7 Mount Park Road, Harrow on the Hill	ENF/775/04/P	DMC	9-November-05	Officer-DG) 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 Officer)	7-December-05	9-December-05 (Legal Contact Officer-CL)						S330 Notice served on 19-December-2005
Unauthorised construction of a single storey rear extension										
1 Wildcroft Gardens, Edgware	ENF/700/04/P	RJP (Report)	11-January-06	23-January-06 (Case Officer-CM)						S330 Notice served on 17 February 2006.
Unauthorised construction of gates, walls, railings and pillars										
High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner	ENF/379/04/P	RJP (Report) DMC (Case officer)	11-January-06	23-January-06 (Case Officer-CM)						
Unauthorised change of use from Class B1 to Class A1										
63 College Road, Harrow Weald	ENF/159/05/P	RJP (Report) GW (Case Officer)	8-February-06	23-Feb-06						
Unauthorised construction of a detached garden building in the rear garden										
147 Roxeth Green Avenue,	ENF/731/04/P	RJP	8-	23-Feb-06						

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
Harrow Unauthorised construction of a rear extension at the rear of the dwellinghouse		(Report) RJP (Case Officer)	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	23-Feb-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	23-Feb-06						Deferred by DC Committee for amendment, 8 Feb 2006.
Land to the rear of 48 The Avenue, Harrow Weald.		DMC	08-Feb-06	23-Feb-06						
5215 Notice 162 Honeyput Lane, Stammers	ENF/619/04/P	RJP (Report) DMC (Case Officer)	15-March-06							
Unauthorised construction of a single storey rear extension										
Land at rear of 540 Uxbridge Road, Hatch End Unauthorised stationing of a portacabin	ENF/352/05/P	AB2 (Case officer) RJP (Report)	15-March-06							
127a and 127b Ruskin Gardens, Harrow Unauthorised change of use from four flats to a mixed use, comprising of builders yard, four flats, business in the storage of commercial vehicles and the construction of a fence.	ENF/432/03/P	DMC (Case Officer) RJP (Report)	15-March-06							
Rear of 62-72 Orchard Grove, Harrow Unauthorised change of use from	ENF/117/04/P	DMC (Case Officer)	15-March-06							

ENFORCEMENT NOTICES AWAITING COMPLIANCE 15 March 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
a service road to a builders yard and the erection of a pole with a CCTV camera		RJP (Report)								
190 Whittington Way, Pinner Unauthorised construction of a single storey rear extension	ENF/94/04/P	RJP (Report)	15-March-06							

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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	Cloisters Wood, Wood Lane, Stanmore
Responsible Officer:	Group Manager (Planning and Development)
Contact Officer:	T E McAlister
Portfolio Holder:	Planning, Development and Housing
Key Decision:	No
Status:	Part 1

Section 1: Summary

This report relates to a Travel Plan which is required by S106 legal agreement to accompany the future grant of planning permission in relation to application P/1306/05/CFU for, inter alia, the change of use of the former Cloisters Wood Fitness Club from leisure to religious uses.

A revised Travel Plan has been submitted which the Travel Plan Co-ordinator considers to be acceptable.

It is recommended that the Travel Plan be approved.

Decision Required

Recommendation (for decision by the Development Control Committee):

1. The Committee is recommended to approve the attached Travel Plan:

Reason for report

To comply with the Committee's decision that it wishes to approve the Travel Plan.

Benefits

Implementation of the Travel Plan will reduce reliance on the private motor vehicle to visit the site.

Cost of Proposals

There are no costs to the Council.

Risks

None

Implications if recommendations rejected

Completion of the S106 legal agreement and the issue of planning permission would be delayed.

Section 2: Report

Brief History and Policy Context (including Previous Decisions)

2.1 The Committee on 11 January 2006 considered planning application P/1306/05/CFU which proposed the following development at the former Cloisters Wood Fitness Club in Wood Lane, Stanmore (site plan at Appendix A):

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.

2.2 The Committee resolved to grant planning permission subject to the prior completion of a S106 legal agreement relating to (inter alia), prior approval by the Committee and implementation by the occupier of the development of a Travel Plan (to include an annual review) prior to commencement of the use.

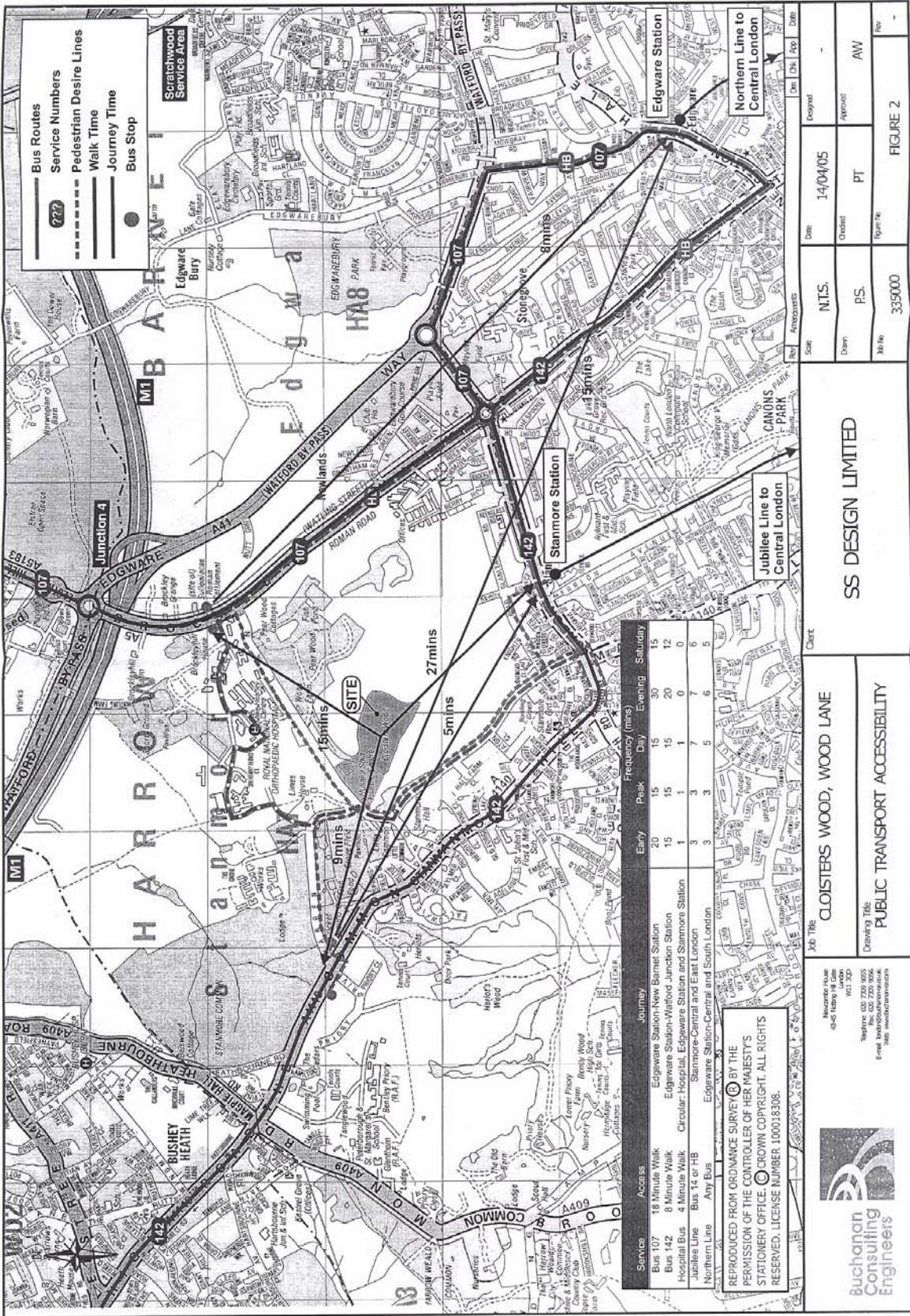
2.3 The Committee confirmed, for the avoidance of doubt, that the submission and approval of the Travel Plan must precede the completion of the legal agreement.

2.4 A Travel Plan has been received (at Appendix B) which revises the document which was available at the time of the Committee meeting.

- 2.5 The revisions comprise:
- i) the provision of £5,000 worth of bus travel vouchers to staff to encourage awareness and use of public transport; and
 - ii) a commitment to purchase a mini-bus if the 50% car share target has not been achieved nine months after the use has commenced.
- 2.6 The Travel Plan Co-ordinator in the Transportation Division considers the revised document to be acceptable.
- 2.7 The Committee is recommended to approve the Travel Plan.
- 2.8 Consultation
- Harrow Council Transportation Division
 - Harrow Council Legal Services
 - Harrow Council Financial Services.
- 2.9 Financial Implications
There are no costs to the Council. The costs referred to in Section 2.5 will be borne by the applicant.
- 2.10 Legal Implications
Completion of the S106 legal agreement and the issue of planning permission would be delayed.
- 2.11 Equalities Impact.
None
- 2.12 Section 17 Crime and Disorder Act 1998 Considerations.
None

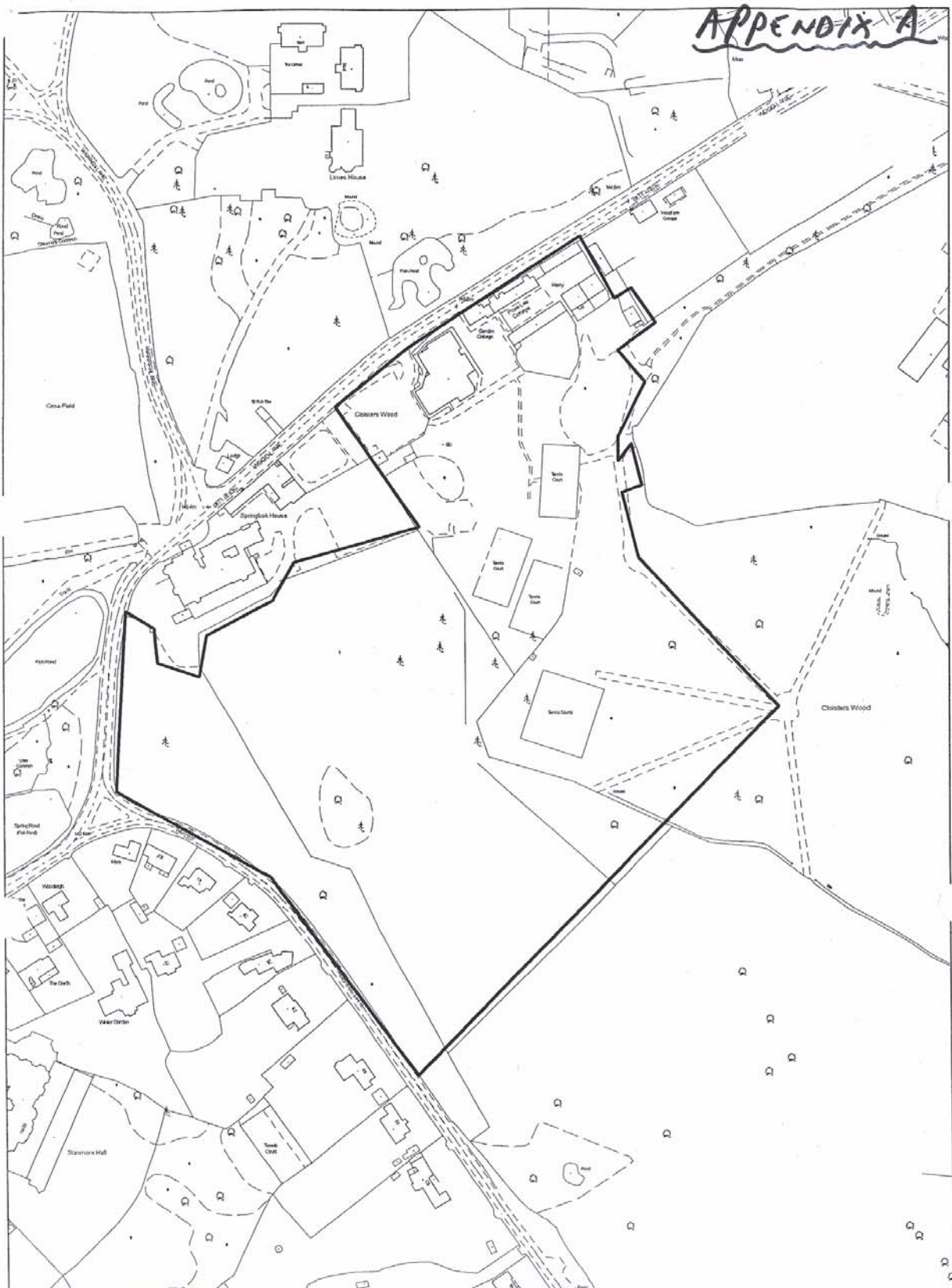
Section 3: Supporting Information/Background Documents

- 3.1 Planning application P/1306/05/CFU.



Client: CLOISTERS WOOD, WOOD LANE
Project: PUBLIC TRANSPORT ACCESSIBILITY
Scale: 1:500
Date: 14/04/05
Drawn: N.T.S.
Checked: P.T.
Approved: A.W.
Job No: 335000
Figure No: FIGURE 2

SS DESIGN LIMITED
Buchanan Consulting Engineers



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Date: 14 December 2005 Scale: 1:2500

P/1306/05/cfu
APPENDIX B

CLOISTER WOOD,
WOOD LANE,
STANMORE

Travel Plan

Project No. 335000
February 2006

CLOISTER WOOD,
WOOD LANE,
STANMORE

Travel Plan

Capita Symonds Ltd
24 – 30 Holborn
London
EC1N 2LX

Tel : 020 7870 9300
Fax : 020 7870 9399

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1.0 Introduction	1
2.0 Government and Harrow Council Policy	3
3.0 Existing Transport Network	4
4.0 Proposed Travel Plan Initiatives	6
5.0 Implementation and Monitoring	9
6.0 Conclusion	10

FIGURES

- 1 Site Location**
- 2 Public Transport Accessibility**

1. INTRODUCTION

- 1.1 Capita Symonds have been instructed by our Client, Shree Swaminarayan Temple, to produce a supporting Travel Plan (TP) document for their proposed religious use development at Cloister Wood on Wood Lane, Stanmore, Harrow. The location of the site is shown on Figure 1.

Proposal

- 1.2 This TP supports a proposed planning application for a change of use to religious use at the Cloister Wood site. Cloister Wood, previously operated as a Health & Fitness centre, consists of nine buildings with an external pool and tennis courts area, together with substantial car parking.
- 1.3 Use of the facility can be divided into 2 broad categories: use of the Temple for prayer and use of the Function Hall(s) for functions. During the weekdays, it is predicted that at its peak, approximately 100 members will use the site for prayer in the morning (09:00 – 11:00) and 150 members in the evening (19:00 – 21:30). Use over the weekend is similar to the weekdays with an increase to 200 members attending for prayer on Sunday evenings.
- 1.4 Only one of the two Function Halls will be used during weekdays (evenings only), with a predicted attendance of between 200 – 250 members. During the weekends, both Function Halls will be in use, receiving between 100 – 200 members throughout the day (11:00 – 17:00) and between 300 – 500 members throughout the afternoon to evening.
- 1.5 It should be noted that these figures are predicted peak attendance levels during festival periods, weddings and the like.

Normal daily attendance levels are likely to be far lower than those above.

Objective

- 1.6 The aim of the Travel Plan is to encourage the use of alternative modes of transport in order to minimise reliance on the private car for Temple users, thereby reducing road traffic and congestion in the immediate area. This will help to achieve the following benefits:

- Reduce congestion and journey times,
- Improved air quality,
- Reduce pollution and noise,
- Improve standard of living.

2. GOVERNMENT AND HARROW COUNCIL POLICY

2.1 The increase in traffic flows and corresponding congestion and pollution, has forced the government nationally and the world globally to change its thinking on transport issues towards a more sustainable approach.

2.2 National and international policy has been adapted in response to growing concern about increasing emissions and traffic flows and their effects on the environment.

2.3 The following sets out relevant National Policy that has been considered in the production of the TP:

- Planning Policy Guidance Notes 13 (2001),
- Road Traffic Reduction Acts (1977),
- Transport White Paper (1988): "A new Deal for Transport: Better for Everyone".

2.4 The following sets out relevant Local Policy:

- Transport Strategy of the Mayor of London Planning,
- Local Implementation Plans (LIPs),
- ISO 14001 and Environmental Management systems,
- Local Agenda 21.

3. EXISTING TRANSPORT NETWORK

Walking and Cycling

- 3.1 There are footways on Wood Lane, Warren Lane and Dennis Lane that provide pedestrian access to the A4140 in the west, the A5 in the east and the A410 in the south, all of which are primary routes. Pedestrians also have the choice of using informal routes across Stanmore Common.
- 3.2 Provision for cyclists in the area is provided by a cycleway in each direction along the A410 London Road, from its junction with the A4140 to Stanmore Underground Station. There are no separate cycle provisions on Wood, Warren and Dennis Lanes as these roads are relatively lightly trafficked.

Public Transport

- 3.3 Two existing bus services, routes 142 on the A4140 and 107 on the A5, are within 9 and 15 minutes walk respectively of the site. Figure 2 shows the locations of the bus stops and average walking times to the bus stops from the site.
- 3.4 Additionally, the Royal National Orthopaedic Hospital also maintains a private bus service, which currently operates hourly at peak times and passes close to the site on Warren and Dennis Lane to the west of the site. Figure 2 shows this route as well as the routes of the services above.
- 3.5 As can be seen, all three bus services go to Edgware station (Northern Line), with route 142 and the hospital bus also providing access to Stanmore station (Jubilee Line). The average times for these bus journeys are also shown along with the frequency of the services. Bus route 142 provides a direct

connection to Stanmore station with a frequency of up to 5 times an hour.

- 3.6 In terms of walking and cycling, Stanmore station is approximately 2¼ km, with the whole journey possible by footway. Cyclists can use the existing cycle lane on the A410.
- 3.7 Stanmore station has a car park with a capacity for 452 vehicles. It is generally full with peak demand typically between 10:00 – 14:30 during the week due to the combination of commuters and off-peak travellers to Central London. Parking costs are £2.50 per day for cars and £1.20 for motorcyclists. Cyclists are able to store their bicycles for free under the secure bike shelter.
- 3.8 Stanmore station is on the Jubilee Line, which runs at maximum frequencies of 1 train every 3 minutes from this station. The Jubilee Line runs through Central London and east towards Docklands, terminating at Stratford. The Jubilee Line provides access to the whole underground network and many main line rail stations.
- 3.9 Edgware station is on the Northern Line and may be accessed from all three bus routes at a peak headway of 9 buses per hour; all buses stop adjacent to the station entrance.
- 3.10 Edgware station is on the north western branch of the Northern Line and is served by up to 20 trains per hour towards Central and South London.
- 3.11 The site thus is able to link to very good public transport services to an extensive range of locations throughout London.

4. PROPOSED TRAVEL PLAN INITIATIVES

Car Sharing Scheme

- 4.1 Due to the sites location, a car sharing scheme has been identified as the primary means by which single occupancy vehicle trips to the site can be reduced.
- 4.2 Regular users of other Temples already undertake car sharing on a fairly informal basis. A formal car sharing scheme will be set up for the proposed site and a car share database specifically tailored to the development will be promoted.
- 4.3 The system will be web based and accessed via the Shree Swaminarayan website www.swaminarayansatsang.com. However, a telephone service could also be provided and would enable users to find travel companions with whom to share the journey as well as travel costs. The system will contain information, such as addresses of potential car sharers and would match the traveller with a potential driver or passenger who is travelling in the same direction to the Temple.
- 4.4 Establishing a car sharing scheme with the right promotion can provide an effective method for reducing vehicle movements. Promotion of the car sharing scheme can be done through promotional leaflets and information displayed on travel noticeboards around the site.
- 4.5 It is anticipated that "word of mouth" will remain as one of the main communication tools for both promoting the car share scheme and finding potential car sharers.

Public Transport Initiatives

- 4.6 The Temple will encourage the followers to use public transport by displaying up to date public transport information and a public transport map on noticeboards located around the site and on the Temple's website.
- 4.7 In addition, where possible the Temple will provide internet access enabling followers to obtain online travel information as well as promote the use of route finder websites, such as the Transport for London Journey Planner website, (<http://journeyplanner.tfl.gov.uk/>).
- 4.8 Furthermore, a private mini-bus service will be investigated for use on certain dates for particular functions.
- 4.9 Staff of the Temple will be encouraged to use public transport through the implementation of a scheme involving the provision of £5,000 worth of bus travel vouchers. Such a scheme will assist with raising the awareness of local public transport.

Cycling and Walking Initiatives

- 4.10 Cycle parking spaces and shower and changing room facilities are to be provided as part of the development. The Temple will encourage followers to cycle by providing details of local cycle routes (dedicated and advisory) on the travel noticeboards and on the Temple's website.

Summary

- 4.11 It is the philosophy of the Temple to encourage people to attend for their well being, and therefore the health benefits of walking and cycling will be promoted by the Temple through

encouragement and preaching given to the congregation during significant gatherings.

- 4.12 The initiatives above are designed, not to discourage attendance, but to encourage car sharing or the use of alternative modes of transport to the site, aimed at reducing single occupancy vehicle trips.
- 4.13 The type of events and hence parking requirement, are so varied that it is very difficult to reduce car travel by parking restraint. Therefore, everything will be done to encourage car sharing and non-car alternatives.

5. IMPLEMENTATION AND MONITORING

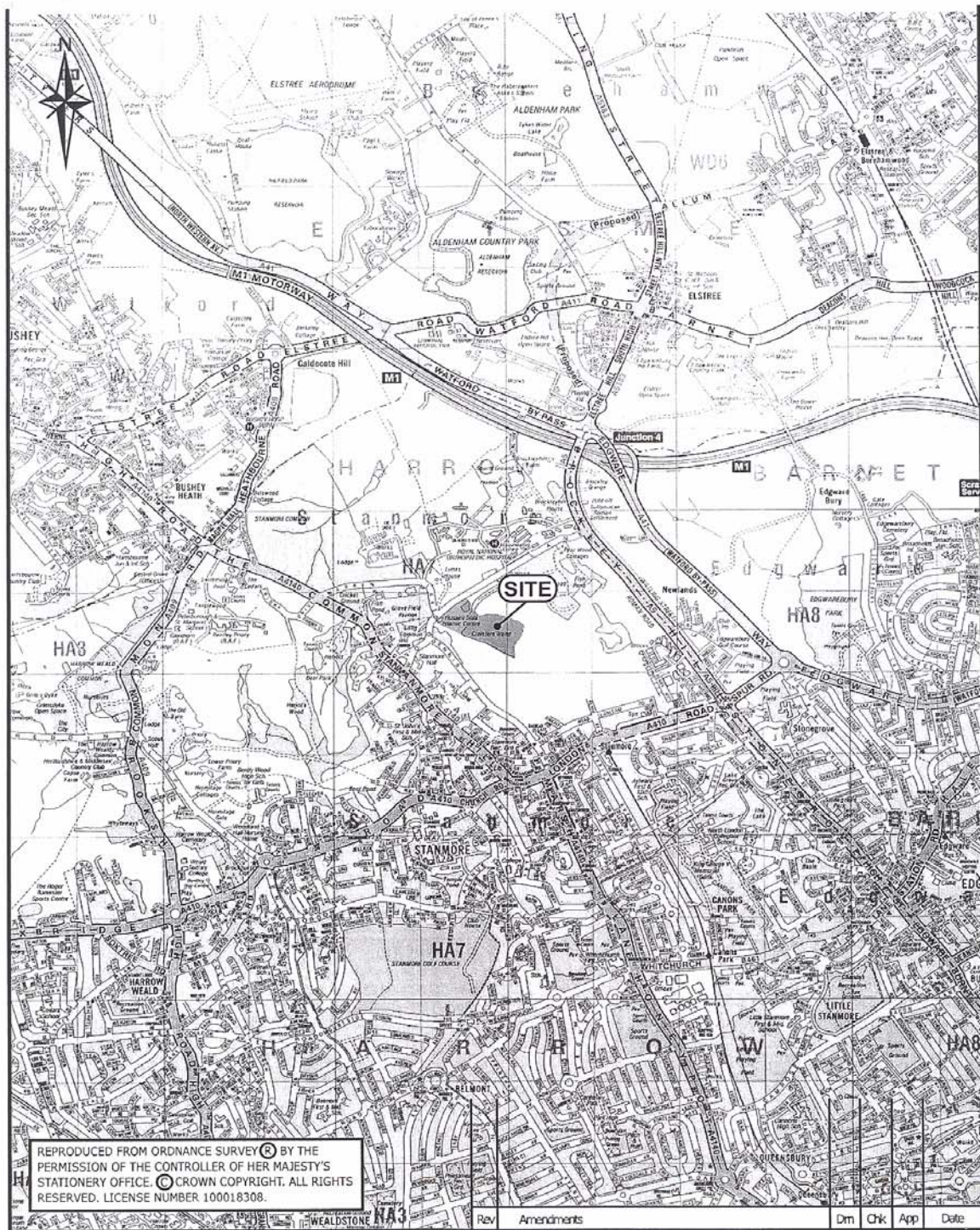
- 5.1 A committee member will be appointed as the Travel Co-ordinator for the proposed development. The role of the Travel Co-ordinator will be to oversee the whole process of implementation, monitoring and periodic review of the TP in liaison with the authorities and Temple followers.
- 5.2 The initial tasks of the TP Co-ordinator will be setting up the car sharing scheme, organising the promotional information (leaflets, noticeboards) and public transport, cycling and walking information, as well as determining the most effective means for implementing measures such as the private mini-bus service.
- 5.3 Six months after the site has opened, a travel survey will be undertaken. From this survey information such as the origin of trips, preferred modes of transport and daily trip profiles will be gained. The information provided from the survey will be important in setting realistic targets for the TP, such as increasing car sharing.
- 5.4 With regard to car sharing, initial surveys of other Shree Swaminarayan Temples conclude that car sharing is already being effectively used by followers. Therefore, an initial target of 50% or better by car share is considered achievable.
- 5.5 In addition to the six month survey, a further car share survey will be undertaken after 9 months. The results of this survey will conclude as to whether the 50% target by car share has been achieved. If it is not being achieved, then it is agreed that a mini-bus will be purchased (no later than six months after the 9-month survey) and used for journeys to and from the Temple.

6. CONCLUSION


- 6.1 The TP includes a number of initiatives that when provided will improve access to the site by all modes of transport and ensure that car sharing, using public transport, cycling and walking is encouraged.
- 6.2 The main initiatives of the Travel Plan are:
- A car sharing scheme,
 - Displaying of relevant public transport, cycling and walking information and active encouragement of each modes' use as an alternative to the private car,
 - A mini bus service to be used on certain dates for particular functions.
- 6.3 A Travel Plan Co-ordinator will be appointed to oversee the implementation of the Travel Plan. Car sharing is seen as the most viable means for reducing single occupancy trips to the site. It is expected that 50% of followers arriving by car share can be achieved. Monitoring will be done on a 6-monthly basis and the Travel Plan Co-ordinator will be responsible for liaising with the local highway authority to determine the effectiveness of the Travel Plan and identify further action where necessary.



Figures



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 <p>Buchanan Consulting Engineers</p>	<p>Rev Amendments</p>	<p>Scale N.T.S.</p>	<p>Date 14/04/05</p>	<p>Designed -</p>
	<p>Job Title CLOISTERS WOOD, WOOD LANE</p>	<p>Drawn P.S.</p>	<p>Checked -</p>	<p>Approved -</p>
	<p>Client SS DESIGN LIMITED</p>	<p>Job No 335000</p>	<p>Figure No FIGURE 1</p>	<p>Rev -</p>

DRAWING NO: 777/77



Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	31 Northumberland Road, North Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Frank Stocks
Portfolio Holder:	Keith Burchell
Key Decision:	No
Status:	Public

Section 1: Summary

- 1.1 Planning permission, ref: P/2928/04/DFU, was granted on 11 January 2005 for the construction of two storey side to rear, single storey front and rear extensions and rear dormer. The development is currently being implemented at the property.
- 1.2 A series of complaints, and a petition, have been received relating to planning and construction works at the above property, in particular:
 - 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 A report was submitted to the Development Control Committee on 8 February 2006, copy attached as Appendix 1.
- 1.4 The Committee resolved not to agree with the recommendations and instructed Officers to submit a further report on the issues, in particular in respect of:

- the additional forward projection of the front porch extension by 100mm (10cm)
- the additional rearward projection of the single and two storey rear extension by 150mm (15cm)

1.5 The Committee also instructed that the complainants be advised of the date when the further report would be considered by Committee.

Decision Required

Recommendation (for decision by the Development Control Committee):

Members determine whether to authorise enforcement action and, in the event that they consider it expedient, resolve that:

1. 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 single and two storey rear extensions;
 - (ii) the demolition of the single storey front extension;
 - (iii) the permanent removal from the land of all of the materials arising from compliance with the first (b)(i) and second (b)(ii) requirements above.
 - (c) [(b)] (i), (ii) and (iii) 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 allow consideration of the works that are not in compliance with planning permission, reference P/2928/04/DFU.

Benefits

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

Cost of Proposals

There could be an award of costs against the Council if, in the event of enforcement action and a subsequent appeal, the Council was unable to present sustainable reasons for undertaking such action.

Risks

Enforcement action would be likely to result in an appeal to the Planning Inspectorate. Risk in relation to potential cost awards is referred to above.

Implications if recommendations rejected

The Committee is being asked to come to a balanced judgement on the expediency of authorising enforcement action.

Section 2: Report

2.1 Brief History

2.1.1 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.

2.1.2 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.

2.1.3 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. Five reasons for refusal related to:

- overintensive use of the site, with increased disturbance and activity
- unsatisfactory internal room layout
- no access to rear garden from upper floor flats
- excessive forecourt parking
- inadequate off-street parking

This decision is currently the subject of a planning appeal, to be determined by informal hearing – no date has yet been arranged.

- 2.1.4 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. Two reasons for refusal related to overintensive use of the site and inadequate off-street parking, the other 3 reasons for the earlier refusal having been addressed in the revised scheme. This decision is also the subject of a planning appeal, to be determined by informal hearing – no date has yet been arranged.
- 2.1.5 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.
- 2.1.6 Application, ref. P/179/06/DFU, for conversion of the extended building into two self-contained dwellings was submitted in January 2006, but has not yet been determined.

2.2 Planning Considerations

- 2.2.1 The report to the 8 February 2006 Committee considered the complaints of the local residents, namely:

- Concern at the manner in which planning permission was granted

Committee, on 8 February, were advised that 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.

- Concerns that the development is not being carried out in accordance with the approved plans

Committee were advised that 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.

- A lack of proper supervision of the work being carried out

Committee were advised that 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. Following the 8 February meeting, Officers are considering options for more effective liaison between the Planning and Building Control functions to identify possible breaches of planning control relating to planning permissions.

- The erection of 2.4m high hoardings around the site frontage

Committee were advised that site hoardings erected around a construction site do not require planning permission.

2.2.2 The 8 February report also considered the discrepancies between the approved drawings and the works being undertaken:

- i) The rear dormer roof extension is sited less than 1000mm from the roof eaves, namely 970mm
- ii) The guttering projects some 100mm from the finished two storey side wall, whilst the approved drawings indicated a recessed eaves detail
- iii) The use of yellow bricks, rather than render, in the flank wall of the two-storey side extension
- iv) An additional ground floor window has been provided in the flank wall of the two-storey side extension
- v) A number of minor alterations to elevations (in particular, the front door opening has been reduced in height, and the single storey rear extension window opening has been modified to a door and window opening)
- vi) The mid-point of the lean-to roof 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
- vii) The rearward 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
- viii) The single storey front extension extends 100mm further forward than indicated on the approved plans

i) Rear Dormer Window

2.2.3 Committee were advised that the external face of the rear dormer window was sited 970mm 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. Committee seemed to be of the view that this discrepancy was within the limits of normal building tolerances and was acceptable.

ii) Encroachment of Roof Detail over the Boundary with No. 33 Northumberland Road

2.2.4 Committee were advised that the eaves and fascia of the roof have been recessed and therefore set back from the boundary line with No. 33 Northumberland Road, although the guttering on the extension projects beyond the two storey flank wall by some 100mm, the width of the standard plastic gutter. The Committee was also advised that, following a further site visit, it is apparent that the guttering detail is built within the boundary line of the application property, and this was confirmed by site photographs at the meeting. Committee seemed to be of the view that this was therefore acceptable.

iii) Treatment of Two Storey Flank Wall

2.2.5 Committee were advised that the walls of dwellinghouses in Northumberland Road typically comprise a low plinth of red bricks, with plain or coloured render above. Different colours of render are interspersed along the length of Northumberland Road, as evidenced by the series of photographs seen at the meeting

2.2.6 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.

2.2.7 Committee seemed to be of the view that the use of the facing bricks on the side wall was acceptable.

iv) Ground Floor Flank Window Opening

2.2.8 Committee were advised that, since the February report had been drafted, the unauthorised ground floor flank window opening had been blocked up. Committee therefore seemed to agree that no further action was necessary.

v) Minor Alterations to Elevations

2.2.9 Committee raised no specific concerns.

vi) Height of Single Storey Rear Extension

2.2.10 Committee were advised at the February meeting that the mid-point of the single storey rear extension is shown as being 3 metres high on the approved plans, but the complainants stated that it has been constructed at a height of 3.26 metres

2.2.11 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."

2.2.12 The February report noted the proposal by the owner to reduce the height of the rearmost part of the single storey rear extension, abutting No. 29 Northumberland Road, by lowering the lintel 200mm. The intention here was to reduce the height of the mid and rearmost part of the extension.

2.2.13 At Committee Members were advised that not only the lintel but the extension roof as a whole had been lowered by slightly more than 200mm. This reduction in the overall height in relation to the adjoining property means that the extension mid height accords with the height shown on the approved drawings. The Committee noted this reduction, as evidenced on the photographs displayed at the meeting, and the consequent amelioration of the impact on the amenity of the residents at No. 29 and seemed to agree that no further action was necessary in respect of this element.

vii) Additional Depth of Single and Two Storey Rear Extension

2.2.14 Committee expressed concern about the additional rearward projection of the single and two storey rear extension. 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.

2.2.15 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 (relates to corner sites)”*

2.2.16 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, by approximately the depth of the additional projection, i.e. 150mm. The development site has a favourable orientation in relation to No. 33, being sited to the south-east, with a separation distance of some 2.4m.

2.2.17 In these circumstances the Officers consider that the extension has a minimal effect on light and overshadowing, and that the impact of the additional depth is, on balance, acceptable. Whilst there is, technically, a breach of the Council’s adopted guidance, this is, nevertheless, guidance and each case should be considered on its merits. The Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

2.2.18 In respect of the other adjacent property, No. 29, the single storey rear extension directly abuts the boundary. The 200mm reduction in the overall height of the extension, to accord with the approved plans, has been noted. Given this reduction in relation to the additional depth of the extension it is suggested that this results in an acceptable impact on the adjacent property and is not materially more harmful than the approved depth of extension. Again, Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

viii) *Additional Depth of Single Storey Front Extension*

2.2.19 Committee were advised that planning permission was granted for a front porch extension extending, 1250mm beyond the existing main front wall and 250mm beyond the existing front bay. The extension has been built to a greater depth than shown on the approved plans, namely 100mm, resulting in a finished depth of 1350mm.

2.2.20 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.”

2.2.21 The single-storey front extension does not link into the bay window, and Committee need to consider whether the extension of 1350mm depth, as built, is sufficiently detrimental, in terms of either the appearance of the property or streetscene, or on

the amenity of neighbouring residents, than the approved extension of 1250mm depth.

2.2.22 Committee were also advised of a minor anomaly in the approved plans, in that the existing bay window is shallower than indicated in the approved plans. The bay was indicated as 1000mm deep, but is actually 890mm deep. It could be argued that the decision to grant permission was based on the assumption of a 1000mm deep bay with a relatively small forward projection of 250mm.

2.2.23 However, the only relevant consideration here is the amount by which the extension as built exceeds the depth of the extension as approved - the extension projects only 100mm beyond the depth for which permission was granted. In the Officers' view the additional depth has no material impact on visual or residential amenity, and the Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

Further Representations

2.2.24 A letter has been received from a local resident objecting on the following grounds:

- The use of yellow bricks contravenes the matching materials condition on the planning permission
- The gap between the flank wall and No. 33 belongs to No. 33 and therefore could not be rendered
- The rear dormer window will allow occupants to look straight into the dormer window of No. 29
- The ground floor flank opening blocked up by the developer could be opened up in the future
- Objects to the additional depth of the front extension and the inaccurate illustration of the existing bay window
- Council Officers ignored the breach in respect of the additional depth of the rear extensions
- The mid-point height of the rear extension is still 3.128m high
- Yellow bricks are also used on the flank wall of the single storey rear extension facing No. 29
- The developer has no intention of rendering the flank wall as it is directly on the boundary
- The photo displayed at Committee, showing a gap along the boundary, was taken at a deceptive angle
- The developer has been given special treatment by the Council
- Why is the developer being helped to get retrospective planning permission?
- Every breach should be put right
- In January the developer submitted an application (P/179/06/DFU) to convert the extended building into two self-contained dwellings

2.25 A letter has been received from a planning consultant on behalf of the developer:

- Front extension will not breach the 45° guidance and retain a minimum of 5m forecourt depth
- 10cm additional depth on the front extension is indiscernible
- 15cm additional depth on single and two storey rear extension is indiscernible
- Rear extension falls well within 45° guidance
- Officers have been complicit in any decision to build at the site
- Committee's decision to seek enforcement action was purely motivated by political factors associated with mob pressure and forthcoming local elections – not sound planning reasons

Conclusions

- 2.2.26 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.
- 2.2.27 The Committee need to give particular consideration to the expediency of undertaking enforcement action, in the areas of their greatest concern, namely, the additional 100mm depth of the single storey front extension, and the additional 150mm depth of the single and two storey rear extension. Committee is advised that each element should be considered separately in terms of its impact, rather than cumulatively.
- 2.2.28 PPG18 – Enforcing Planning Control advises:
- Para 5 3) *“...in considering any enforcement action, the decisive issue for the LPA should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest;...”*
- Para 5 4) *“...enforcement action should always be commensurate with the breach of planning control to which it relates (for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site)....”*
- 2.2.29 While the action of the owner in carrying out these works contrary to the planning permission is both unsatisfactory and contrary to all good practice, it is not of itself reason to take enforcement action against the development.
- 2.2.30 The Council instead need to consider whether it is expedient to take enforcement action, in line with section 172 of the 1990 Act which provides as follows:
- “(1) The local planning authority may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to them –
- (a) that there has been a breach of planning control; and

- (b) that it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations.”

2.2.31 It is clear, therefore, that the LPA must have proper regard to the relevant policies, SD1, D4 and D5 in the Harrow Unitary Development Plan, and the Council's adopted Supplementary Planning Guidance when assessing the effects of the development.

Draft Breach of Planning Control

2.2.32 If minded to enforce this breach could be:

- i) Without planning permission, the construction of a single storey front extension and a single and two storey rear extension.

Draft Reasons for Issuing the Notice

2.2.33 “If minded to enforce against this breach the reasons could be:

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

The single storey front extension, by reason of excessive bulk and forward projection, beyond that which has been granted planning permission in application P/2928/04/DFU dated 11 January 2005, is unduly obtrusive and prominent in the streetscene, and is detrimental to the appearance of the building and visual amenity of the streetscene, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

The single and two storey rear extension, by reason of excessive bulk and rear projection, beyond that which has been granted planning permission in application P/2928/04/DFU dated 11 January 2005, is unduly obtrusive and overbearing, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

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

2.3 Consultation

2.3.1 Ward Councillors copied for information.

2.4 Financial Implications

2.4.1 There could be an award of costs against the Council if, in the event of an appeal, the Council was unable to present sustainable reasons for undertaking enforcement action.

2.5 Legal Implications

2.5.1 Central Government circular advice is that the parties to appeals are normally expected to bear their own costs unless the conduct of a party is held to be unreasonable and, that that unreasonable conduct gives rise to the other party incurring costs which it would not otherwise have incurred. The initiation of enforcement action without being able to demonstrate sustainable reasons for doing so could be held to be unreasonable conduct.

2.6 Equalities Impact

2.6.1 None.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

2.7.1 None.

Section 3: Supporting Information/Background Documents

Background Documents:

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

APPENDIX 1



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:	Keith Burchell
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.

Development Control Committee

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Wednesday 15 March 2006

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

3.1 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

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Wednesday 15 March 2006

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.

3.3 Consultation

Ward Councillors copied for information.

3.4 Financial Implications

None at this stage.

3.5 Legal Implications

Included within the report.

3.6 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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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	190 Whittington Way, Pinner
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a rear extension at 190 Whittington Way, Pinner, and seeks authority to initiate enforcement action for its removal.

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, C2 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 unauthorised single storey rear extension.
 - (ii) The permanent removal of the materials arising from compliance with the

first requirement (b) (i) above from the land.

(c) [(b)] (i) and (ii) 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 Borough 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)

2.1 LBH/28844 First floor front extension an entrance porch, granted 11 April 1986.

- 2.2 WEST/594/94/FUL Single storey rear extension, granted 8 November 1994.
- 2.3 P/1241/04/DCE Certificate of Lawful Existing Use: Single storey rear conservatory, refused 6 September 2004. Reasons for refusal:
- 1) This is a semi-detached single family dwellinghouse. The applicant asserts that a single storey rear conservatory built to the rear of an existing single storey rear extension at the site has been in excess of 4 years and is therefore lawful.
 - 2) Two invoices are produced for the construction of the 'original' timber conservatory and for the new UPVC replacement, which the applicant describes as a refurbishment of the original. The basis of this application is that the original timber conservatory was built in 1996, and has been "refurbished", not removed or replaced.
 - 3) He also produced four affidavits by individuals who have visited the address since 1999 or for the last seven years for musical evenings, and state they have noticed a conservatory at the rear of the existing French doors. These affidavits are lacking in detail and during interview Mr Budhdeo and Mr Langston could only speak of vague recollection of a window at the rear of the lounge extension. Neither had seen the structure from the outside.
 - 4) On further investigation the following information has come to light:
 - (a) Aerial photograph in 2001 showing the site and no additional conservatory on the rear.
 - (b) Letter from Mrs Veevers, whose father owned 192 Whittington Way, and has resided at the address from 1999 following her father's death. She states that no such conservatory has existed, she has a video taken in 1999 showing no conservatory, and produces a photograph dated 26.08.03 showing the reflection of the extension at No. 190 in background and the absence of any conservatory attached to it.
 - 5) In the circumstances, the Local Planning Authority does not consider, on the balance of probability that the burden of proof has been satisfied and, in view of the conflicting and ambiguous evidence, the application is refused.

Background Information

- 2.4 The property is located on the southern side of Whittington Way, Pinner and comprises a two-storey semi detached dwellinghouse. The Council's planning history shows that there have been a number of alterations made to the dwellinghouse. There is a single storey rear extension, which was granted planning permission. An additional rear extension has been constructed to the rear of the existing single storey extension, bringing the total rearward projection of both extensions to 4.90 metres. The unauthorised rear extension is situated on a raised concrete pad, bringing its height to 3.4m, higher than the 3m maximum height indicated in paragraph C7 of the Council's Supplementary Planning Guidance "Extensions, A Householders Guide". The unauthorised extension spans the full width of the dwellinghouse and is located right up to the boundary of 192 Whittington Way.

2.5 The following policies are relevant on this occasion:

-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.

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 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.

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.

2.6 The single storey rear extension allowed under planning permission. WEST/594/94/FUL has been measured on site as being 82 cubic metres. The unauthorised rear extension has a total volume of 22.51 cubic metres. To constitute permitted development, the cubic content of the resulting building works cannot exceed 70 cubic metres. As a result the unauthorised building works cannot be considered to constitute permitted development and therefore require planning permission. The two extensions have a total rearward projection of 4.90 metres. The Harrow Council's *Extensions: A Householders Guide*, Supplementary Planning Guidance states a single storey rearward projection, adjacent to a boundary, of up to 3 metres beyond the rear main wall of the adjacent semi-detached or detached houses would normally be acceptable in this instance the rearward projection exceeds the acceptable depth by 1.90 metres. The unauthorised rear extension is situated on a raised concrete pad. The height of the rear extension normally exceeded the permitted 3 metre finished height. The additional extension 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.

The alleged breach of planning control

- 2.9 Without planning permission, the erection of a single storey rear extension to the rear of the approved single storey rear extension.

Reasons for issuing the notice

- 3.0 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.1 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 and 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, C2 and C7 Supplementary Planning Guidance "Extensions, A Householders Guide".
- 3.2 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

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

Financial Implications

- 3.4 None.

Legal Implications

- 3.5 As contained in the report.

Equalities Impact

- 3.6 None.

Section 17 Crime and Disorder Act 1998 Considerations

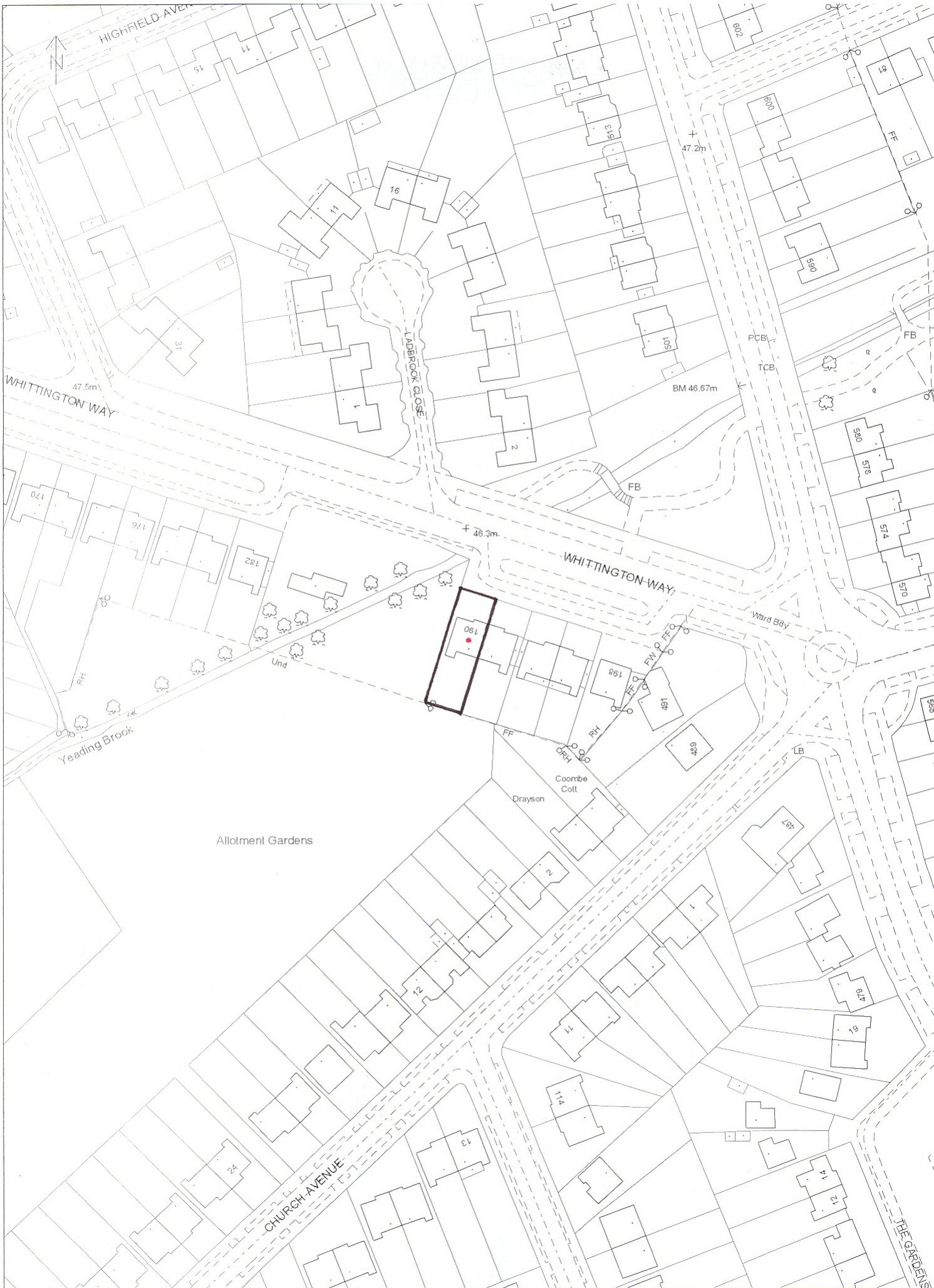
- 3.7 None

Section 3: Supporting Information/ Background Documents

LBH/28844 First floor front extension an entrance porch

WEST/594/94/FUL Single Storey Rear Extension.

P/1241/04/DCE Certificate of lawful existing use: Single storey rear conservatory.



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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	127A and 127B Ruskin Gardens, Kenton, 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 change of use from four flats to a mixed use, comprising of builders yard, four flats, business in the storage of commercial vehicles and the construction of a fence over 1 metre in height adjacent to the highway.

The property is currently four flats, with the surrounding land within the curtilage of the property, being used as a builders yard for the storage of building equipment and materials, and for the storage of commercial vehicles. The current use of the property is not compatible with the residential character of the surrounding area, resulting in the harmful impact on adjoining neighbours in particular the loss of amenities of neighbouring occupiers and the character of the locality, contrary to policy D4, EM22 and the more general policies SD1 and SD3 of the Harrow Council Unitary Development Plan 2004.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) the cessation of the use of the land as a builders yard and for the business of the storage of commercial vehicles.
- (ii) Permanently remove all bricks, scaffolding, ladders, steel mesh, tarpaulins, wood/timber, piping, steel, metal, framing, metal and plastic

drums/containers, metal storage container, and plastic materials drums/containers, metal storage container, chipboard, plaster, steel, metal, plastic materials and all material and equipment related to the use of the land as a builders yard from the land.

(iii) Permanently remove the commercial vehicles from the land.

(iv) Reduce the height of the fence at the front of the land, adjacent the highway to a height not exceeding one metre above ground level.

(v) The permanent removal of the materials arising from compliance with the fifth (b) (iv) requirement above.

(b) ((b)) (i) (ii) (iii) (iv) and (v) 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:

a. supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

b. 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 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 HAR/3126, convert dwelling house to 2 flats was granted on 14th April 1950 and implemented.
- 2.2 Planning permission LBH/39937, two storey side extension to form two new self-contained flats, single storey rear extension to existing flat and parking in front and rear gardens, was granted 3rd August 1990 and implemented.
- 2.3 A planning contravention notice was served on 17th December 2004, no response to notice.

Background Information

- 2.4 The property is located on the northern side of Ruskin Gardens, Kenton and its junction with Honeypt Lane. The property has an access to the yard at the rear via Honeypt Lane that has planning permission (ref LBH/39937) for a double garage. Both the front and the rear garden areas of the flats are being used as an builders yard for the storage of building equipment and materials including bricks, scaffolding, ladders, steel mesh, tarpaulins, wood/timber, piping, steel, metal, framing, metal and plastic drums/containers, metal storage container, and plastic materials. The use of the property as a builders yard is unauthorised and requires permission. No planning permission has been sought or granted for the use of the property as a builders yard. The use of the builders yard includes the unauthorised storage of one green and one red Volkswagen van again, no current planning permission has been granted or sought for the storage of these vehicles. Planning permission HAR/3126 was approved for the conversion of the dwelling house to 2 flats, a further planning application was applied for and subsequently granted, (ref LBH/39937) for two storey side extension to form two additional self-contained flats, single storey rear extension to existing flat and parking in front and rear gardens.
- 2.5 The following Policies of the Harrow Council Unitary Development Plan 2004 are relevant on this occasion.
 - 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 EM22, Businesses and their environmental impact *Environmental Impact of New Business Development Policy*
 - SD3 *Mixed-Use Development* in particular section 2.65
- 2.6 Section 2.65 of the Harrow Council Unitary Development Plan 2004 states that in promoting mixed use developments, either in conversions or on redevelopment, the Council will require a satisfactory relationship to be achieved between the constituent uses and with adjoining properties and the surrounding area, such that the amenities of occupiers and nearby residents are not adversely affected. The area surrounding the flats at 127

Ruskin Gardens is predominantly semi-detached and terraced single-family dwellinghouses. The unauthorised use of the land as a builders yard has lead to the open storage of building materials, vehicles, equipment and waste materials in the front and rear garden areas. These areas are overlooked by many properties and are visible from the highway, therefore the current use of the property is not compatible with the surrounding residential character of the surrounding area, resulting in a detrimental impact to the street scene and a harmful impact on adjoining neighbours residential amenities.

- 2.7 The activities associated with the change of use are detrimental to the amenity of the neighbours as deliveries and loading equipment is occurring early in the morning and early in the evening the noise associated with the activities of the builders yard is detrimental to the surrounding neighbours, in particular adjoining neighbours. This is contrary to section 7.78 under policy EM22 that states “ new businesses which are likely to involve dangerous or noxious processes or otherwise be ‘bad neighbours’, are unlikely to be acceptable in the Borough because of the proximity of residential areas”
- 2.8 The builders yard and the factors mentioned above associated with the change of use are out of character with the residential development surrounding the land. A builders yard in its current location is not compatible with adjoining residential development and is contrary to policies EM22 and SD3.
- 2.9 The erection of a front fence over 1 metre in height adjacent to the highway requires planning permission. The open storage of commercial vehicles and existing height and style of metal mesh fencing panels are not compatible with the surrounding residential character resulting in a detrimental impact to the visual amenity of the surrounding area, contrary to Policy D4 of the Harrow Council Unitary Development Plan 2004.

3.0 **The alleged breach of planning control**

Without planning permission, the unauthorised change of use from four flats to a mixed use, comprising of builders yard, four flats, business in the storage of commercial vehicles and the construction of a fence over 1 metre in height adjacent to the highway.

3.1 **Reasons for issuing the notice**

It appears to the Council that the above breach of planning control occurred within the last 10 years, and in the case of the fence within the last 4 years.

The use of the land as a builders yard and for the storing commercial vehicles, building equipment and materials is not compatible with the residential character of the surrounding area, resulting in the harmful impact on adjoining neighbours in particular the loss of amenities of neighbouring occupiers and the character of the locality, contrary to policy

D4, EM22 and the more general policies SD1 and SD3 of the Harrow Council Unitary Development Plan 2004.

The construction of a front fence over 1 metre in height adjacent to the highway is not compatible with the surrounding residential character resulting in a detrimental impact to the visual amenity of the surrounding area, contrary to Policy D4 of the Harrow Council Unitary Development Plan 2004.

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

3.2 Consultation

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

3.3 Financial Implications

None

3.4 Legal Implications

As contained in the report.

3.5 Equalities Impact

None.

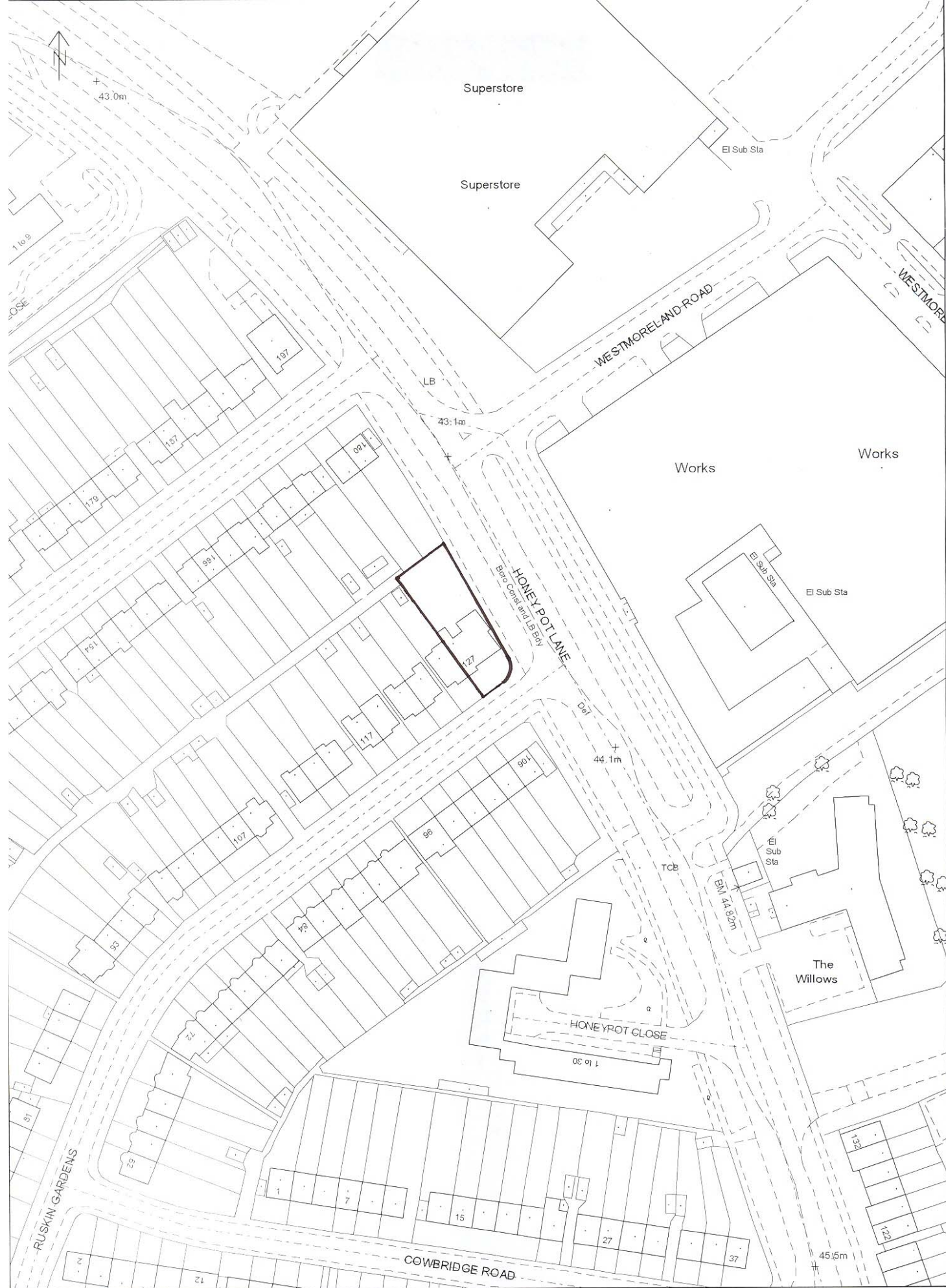
3.6 Section 17 Crime and Disorder Act 1998 Considerations

None.

Section 3: Supporting Information/ Background Documents

Planning application references HAR/3126 and LBH/39937

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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	462 Honeypot Lane, Stanmore
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a single storey rear extension at 462 Honeypot Lane, Stanmore and seeks authority to initiate enforcement action for its removal.

The single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties.

The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot Lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the 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, C2, C5 and C7 of Harrow Council's householders guide supplementary planning guidance 2003.

The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems. It is recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

Development Control Committee
Wednesday 15 March 2006

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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 single storey rear extension.
(ii) The permanent removal of the materials arising from compliance with the first requirement (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 Borough 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)

- 2.1 A planning application for the single storey rear extension (P/1567/05/DCO) was submitted to Council. The application was refused on the 11 August 2005.
Reason for refusal: The single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties.
The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the residential amenities of the occupiers of the adjacent property.

Background Information

- 2.2 The property is situated on the eastern side of Honeypot Lane, Stanmore and comprises a semi-detached dwelling house with an existing two storey side extension and garage. The single storey rear extension was constructed without planning permission. The adjacent property No.460 currently has no rear extensions whereby the garden of No.464 has been divided up into 3 sections.
- 2.3 The development is contrary to the following Policies of the Harrow Council Unitary Development Plan 2004
-Policy D4 *The standard of design and layout*
-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*
-C1 *Rear extensions* C2, C5 and C7 *single storey rear extensions* - Harrow Council's A Householders Guide Supplementary Planning Guidance
- 2.4 The property has an existing two storey side extension and garage. The single storey rear extension is 3.1 metres high and 4.2 metres deep towards the boundary with No.464 and 3.6 metres deep on the boundary with No.460. The Council's supplementary planning guidance, extensions A Householders Guide, indicates that single storey rear extensions of this type should not exceed 3 metres in depth. The extension as built has a detrimental impact on the amenity and loss of light on neighbouring residential properties. The door in the side wall of the extension which runs along the boundary of No.464 gives rise to overlooking of existing doors and windows at No.464. It is considered that the proposal has an unreasonable effect on the amenities of neighbouring occupiers.

The alleged breach of planning control

- 2.5 Without planning permission, the construction of a single storey rear extension.

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 single storey rear extension, by reason of its size, bulk and prominent siting, is unduly obtrusive and overbearing, when viewed from the adjacent properties to the detriment of the visual and residential amenities of the occupiers of those properties. The doorway to the northern flank of the extension, by reason of its close proximity to the boundary with the adjacent properties at 464 Honeypot Lane gives rise to an unacceptable increase in general disturbance and activity to the detriment of the 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, C2, C5 and C7 of Harrow Council's householders guide, supplementary planning guidance 2003.

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

2.9 **Consultation**

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

3.0 **Financial Implications**

None.

3.1 **Legal Implications**

As contained in the report.

3.2 **Equalities Impact**

None.

3.3 **Section 17 Crime and Disorder Act 1998 Considerations**

None.

Section 3: Supporting Information/ Background Documents

P/1567/05/DCO –Single storey rear extension.



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London Borough of Harrow LA 08641 X Date: 26/01/2006 Scale: 1:1250

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Description: Single Storey rear Extension
Street: 462 Honeypot Lane, Stanmore
Taken by: David Clarke
Date: 09 January 2006



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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	Service road to the rear of 62-72 Orchard Grove, Kenton
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 change of use from a service road to a builders yard and the erection of a pole with a CCTV camera.

The service road is currently being used as a builders yard, with the unauthorised erection of a pole with a CCTV camera. The current use of the property is not compatible with the residential character of the surrounding area, resulting in the harmful impact on adjoining neighbours in particular the loss of amenities of neighbouring occupiers and the character of the locality, contrary to policy EM22 and the more general policy SD3 of the Harrow Council Unitary Development Plan 2004.

The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems. 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 cessation of the use of the service land at the rear of 62-72 Orchard Grove, Kenton as a builders yard.
- (ii) The permanent removal from the land of all materials related to the use of the land as a builders yard including all wood, barrels, petrol cans, piping, wheel barrows, cones, concrete, buckets, fencing, scaffolding, steal and sand.
- (iii) The permanent demolition of the CCTV camera and pole.
- (iv) The permanent removal of the materials arising from compliance with the requirements (b) (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:
- a. supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;
- and/or
- b. 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 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 P/438/05/DOU - Invalid
- 2.2 Planning permission P/1466/04/DOU - Invalid

Background Information

- 2.4 The service road where the builders yard is located is on the southern side of Orchard Grove, Kenton, at the rear of properties 62-72 Orchard Grove. The service road is accessed via Honeypot Lane, a fence has been erected at the beginning of Honeypot Lane, which restricts access into the builder yard. A CCTV camera has been installed at the top of a pole overlooking the builders yard. The area directly behind 62 and 64 Orchard Grove is being used for the storage of building equipment, including the storage of wood, barrels, petrol cans, piping, wheel barrels, cones, concrete, buckets, fencing, scaffolding, steal and sand. The area between 64 and 72 Orchard Grove is used for the purpose of gaining access by commercial vehicle to the business use. A fence has been erected at the entrance of the private accessway behind 72 Orchard Grove. Two planning applications have been lodged with Council but haven't been validated due to insufficient information.
- 2.5 The following Policies of the Harrow Council Unitary Development Plan 2004 are relevant on this occasion:
 - Policy EM22, Businesses and their environmental impact *Environmental Impact of New Business Development Policy*
 - D4 *The standard of design and layout*
- 2.6 The CCTV camera and pole does not constitute permitted development under the auspices of the Town and County Planning (General Permitted Development) Order 1995. The camera and pole constitute an alien feature in a residential area, and are detrimental to visual amenity. As such the erection of a pole and CCTV camera is not in accordance with policy D4 of the Unitary Development Plan 2004.
- 2.6 The Council requires a satisfactory relationship to be achieved between development uses and adjoining properties and the surrounding area, such that the amenities of occupiers and nearby residents are not adversely affected. The area surrounding the rear of 62 to 72 Orchard Grove is a mix of terraced single family residential properties and recreation land. The unauthorised use of the land as a builders yard has lead to open storage of building materials, equipment and waste materials in the service road. This areas area is overlooked by many properties and the recreation ground, therefore the current use of the property is not compatible with the residential character of the surrounding area, resulting in a harmful impact on the residential amenities of the occupiers of adjoining properties and the area as a whole.

2.7 The daily activities associated with the unauthorised use of the land as a builders yard include deliveries early in the morning, and in the evening. The noise associated with such activities is detrimental to the amenity of the occupiers of the surrounding dwellinghouses, particularly those adjacent to the site. Paragraph 7.78 of the Harrow Council Unitary Development Plan 2004, Part of the commentary to Policy EM22, states “ new businesses which are likely to involve dangerous or noxious processes or otherwise be ‘bad neighbours’, are unlikely to be acceptable in the Borough because of the proximity of residential areas”. Policy EM22 is clear that in considering such development the Council will pay due regard to: “The potential impact on the amenity of adjoining properties, and on the character of the area”. In its detrimental impact on amenity, the change of use is contrary to this Policy.

2.8 The builders yard and the factors mentioned above associated with the change of use are out of character with the residential development surrounding the land. A builders yard in its current location is not compatible with adjoining residential development and is contrary to policies EM22 and D4. The development is harmful to the amenity of adjoining neighbours and the character of the area. The CCTV camera and pole are obtrusive and are detrimental to the visual amenity of the surrounding area.

2.9 **The alleged breach of planning control**

Without planning permission, the unauthorised change of use from a service road to a builders yard and the unauthorised installation of a pole with a CCTV camera.

3.0 **Reasons for issuing the notice**

It appears to the Council that the above breach of planning control occurred within the last 10 years and the CCTV camera and pole have been constructed within the last 4 years.

The use of the land as a builders yard is out of character with, and detrimental to the amenity of the surrounding residential area, contrary to policies EM22 and D4 of the Harrow Council Unitary Development Plan 2004.

The CCTV camera and pole are detrimental to the visual amenity of the surrounding area, contrary to policies D4 of the Harrow Council Unitary Development Plan 2004.

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

3.1 Consultation

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

3.2 Financial Implications

None

3.3 Legal Implications

As contained in the report.

3.4 Equalities Impact

None.

3.5 Section 17 Crime and Disorder Act 1998 Considerations

None.

Section 3: Supporting Information/ Background Documents

None

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Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	Land at rear of 540 Uxbridge Road, Hatch End
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 stationing of a portacabin the provision of hard surfacing and the construction of a fence on land to the rear of 540 Uxbridge Road, Hatch End and seeks authority to initiate enforcement action for their removal.

The portacabin, hard surfacing and fencing by reason of their siting and utilitarian appearance, appears visually intrusive in the streetscene of Poplar Close and is a discordant feature within this established residential environment, to the detriment of the visual amenity and character of the locality. The portacabin, by reason of its siting, intrudes into an open space that provides significant visual relief within Poplar Close and deprives the occupiers of the adjacent flats of desirable amenity space, to the detriment of the pattern of development and residential amenity. The contrary to policies SD1, D4 and D5.

The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems. 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 portacabin.
(ii) The removal of the hard surfacing and lay land to turf
(iii) The demolition of the fence.
(iv) The permanent removal of the materials arising from compliance with the requirements (b) (i), (ii) and (iii).
- (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 Borough 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)

- 2.1 A planning application for the retention of portacabin for store/site office (P/2008/05/DCO) was submitted to Council. The application was refused on the 17 November 2005.
- Reason for refusal: The portacabin, by reason of its siting and utilitarian appearance, appears visually intrusive in the streetscene of Poplar Close and is a discordant feature within this established residential environment, to the detriment of the visual amenity and character of the locality.
- The portacabin, by reason of its siting, intrudes into an open space that provides significant visual relief within Poplar Close and deprives the occupiers of the adjacent flats of desirable amenity space, to the detriment of the pattern of development and residential amenity.

Background Information

- 2.2 The plot of land to the rear of 540 Uxbridge Road has access from Poplar Close. The plot of land originally formed part of the rear garden of 540 Uxbridge Road, but is separated from that property by a 1.8 metre high close boarded fence. The portacabin is adjacent to the boundary with 540 Uxbridge Road and is sited 10.2 metres from the Poplar Close Boundary. The area are of the land separated from the curtilage of the original dwellinghouse by the above fence has been hard-surfaced with the importation and deposit of stone. The site is subject to a TPO tree number 246.
- 2.3 The development is contrary to the following Policies of the Harrow Council Unitary Development Plan 2004
- Policy D4 *The standard of design and layout*
 - 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*
 - Policy D10 *Trees and New Development*
- 2.4 The portacabin measures 3.7 metres in width and 7.2 metres in length. It is supported in stilts, and its flat roof is 2.9 metres above ground level. The portacabin, hard surfacing and fencing have a negative impact on the visual appearance and character of the surrounding area. The portacabin, hardsurfacing and fencing are clearly visible as a result of a lack of effective screening from Limedene Close, Poplar Close and adjacent residential properties. Resulting in the portacabin, hard surfacing and fencing being unduly obtrusive. This is exacerbated by the inappropriate design of the development, which has an industrial appearance, which is considered inappropriate for a residential area. It is therefore considered that the portacabin's appearance is out of character with the established pattern of development in the locality.

The alleged breach of planning control

- 2.5 Without planning permission, the stationing of a portacabin, the hard surfacing of the land and the construction of a fence.

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 portacabin, hardsurfacing and fencing by reason of their siting and utilitarian appearance, appear visually intrusive in the streetscene of Poplar Close and are a discordant feature within this established residential environment, to the detriment of the visual amenity and character of the locality. The portacabin, hardsurfacing and fencing by reason of their siting, intrude into an open space that provides significant visual relief within Poplar Close and deprives the occupiers of 540 Uxbridge Rd of desirable amenity space, to the detriment of the pattern of development and residential amenity. The contrary to policies SD1, D4 and D5.
- 2.8 The Council do not consider that Planning permission should be granted because planning conditions cannot overcome these problems.

2.9 Consultation

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

3.0 Financial Implications

None.

3.1 Legal Implications

As contained in the report.

3.2 Equalities Impact

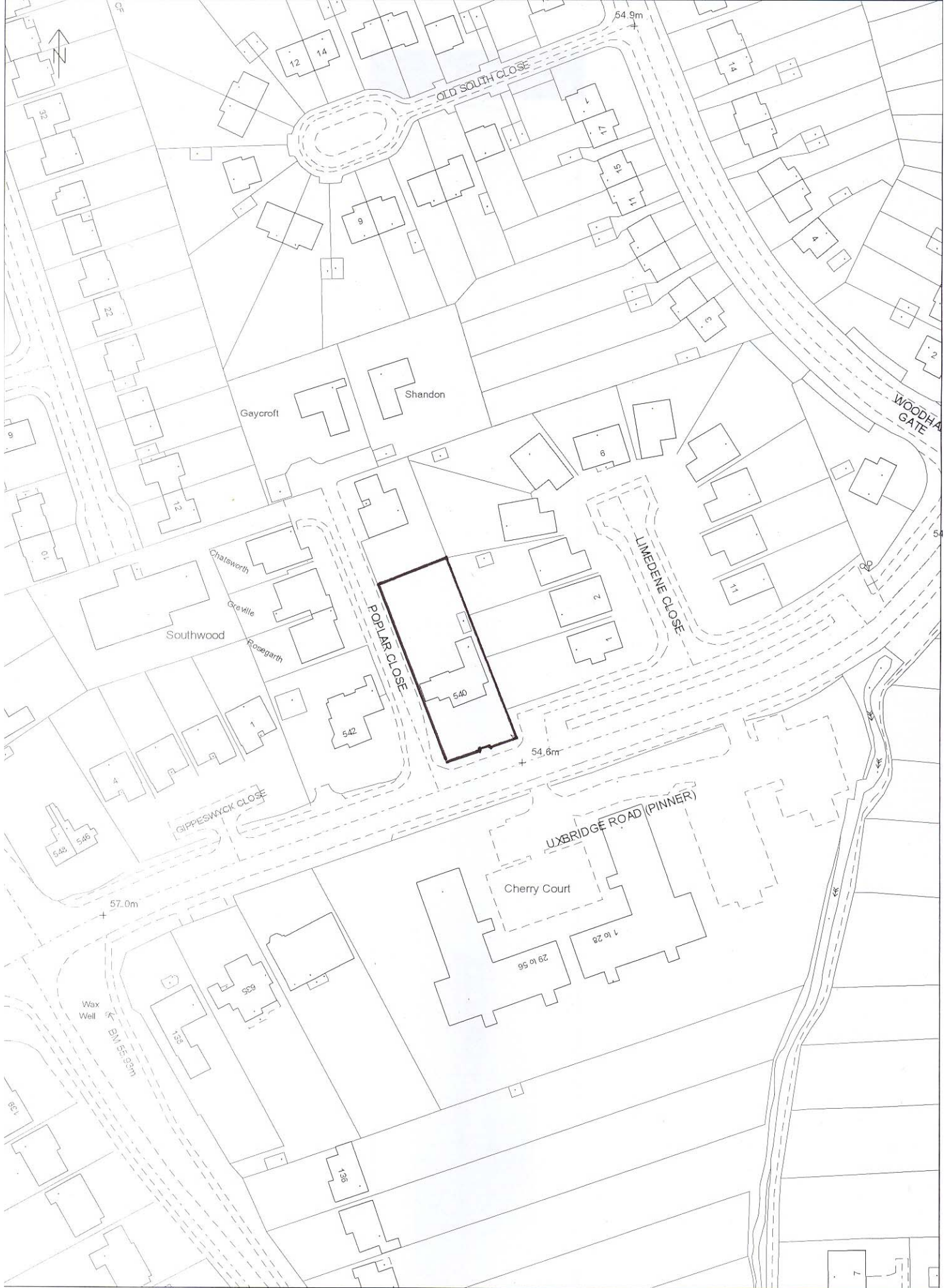
None.

3.3 Section 17 Crime and Disorder Act 1998 Considerations

None.

Section 3: Supporting Information/ Background Documents

P/2008/05/DCO – Retention of portacabin for store/site office.



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