
REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 16 NOVEMBER 2005 (RECONVENED FROM 9 NOVEMBER 2005)

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Choudhury
 * Mrs Bath * Janet Cowan
 * Billson * Idaikkadar
 * Bluston * Miles
 * Branch (1) * Mrs Joyce Nickolay

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

[Note: Councillors John Cowan and Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 1026 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1025. **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 Thornton	Councillor Branch

[Note: In accordance with the provisions of Committee Procedure Rule 3.4, Appointment of Reserves to Committees and Sub-Committees and Panels, this reconvened meeting was treated as a new meeting for the purposes of attendance by Reserve Members.]

1026. **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 1/04
Councillor Mrs Kinnear	- Main Agenda Item 18
Councillor John Nickolay	- Main Agenda Item 21

[Note: Councillor John Nickolay, who was unable to attend the meeting, submitted a written statement, which was circulated to Members of the Committee].

1027. **Declarations of Interest:**

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

- (i) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
 Councillor Marilyn Ashton declared a personal interest in the above application arising from the fact that she was a member of the Stanmore Society. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (ii) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
 Councillor Mrs Bath declared a personal interest in the above application arising from the fact that she had family membership of the Stanmore Society, of which her partner was Vice-Chair. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.

- (iii) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
Councillor Bluston declared a personal interest in the above application arising from the fact that he was Chair of the Health and Social Care Scrutiny Sub-Committee. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.
- (iv) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
Councillor Choudhury declared a personal interest in the above application arising from the fact that he used to be a member of the RNOH Community and Development Committee. Accordingly, he remained in the room and took part in the discussion and decision-making on this item.
- (v) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
Councillor Janet Cowan declared a personal interest in the above application arising from the fact that she was a member of the Stanmore Society. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (vi) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
Councillor John Cowan, who was not a Member of the Committee, declared a personal interest in the above application arising from the fact that he was a member of the Stanmore Society, and had, in the past, been a patient of the RNOH.
- (vii) Planning Application 1/04 – Royal National Orthopaedic Hospital (RNOH), Brockley Hill, Stanmore
Councillor Mrs Joyce Nickolay declared a personal interest in the above application arising from the fact that she was a Member of the Health and Social Care Scrutiny Sub-Committee. Accordingly, she remained in the room and took part in the discussion and decision-making on this item.
- (viii) Agenda items 18 and 20 – 102, 104, 106 High Street, Harrow on the Hill
Councillor Marilyn Ashton declared that Conservative Members of the Committee had a prejudicial interest in the above application. Accordingly, Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay left the room and took no part in the discussion or decision-making on this item.
- (ix) Agenda item 18 – 102, 104, 106 High Street, Harrow on the Hill
Councillor Mrs Kinnear, who was not a Member of the Committee, declared a personal interest in the above agenda item.

1028. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present, with the exception of the following item, which would be considered with the press and public excluded for the reason indicated:

<u>Agenda Item</u>	<u>Reason</u>
20. 102, 104, 106 High Street, Harrow on the Hill	The report relating to this item contained exempt information under paragraph 12(b) of Part II of Schedule 12A to the Local Government Act 1972 in that it contained legal advice.

1029. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of item 1/04 on the list of planning applications.

1030. **Planning Applications Received:**

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

1031. **Planning Appeals Update:**
The Committee received a report of the Group Manager (Planning and Development) which listed those appeals being dealt with and those awaiting decision.
- RESOLVED:** That the report be noted.
1032. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Group Manager (Planning and Development) which listed those enforcement notices awaiting compliance.
- Members identified a number of addresses which had been on the list for a long time, and noted that 16A Whitchurch Lane should not appear on the list.
- RESOLVED:** That (1) the report be noted;
- (2) officers be requested to ensure that the content of the report was accurate and up to date.
1033. **875 Field End Road, Harrow:**
The Committee received a report of the Group Manager (Planning and Development) on the above matter.
- 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) demolition of the single storey rear canopy extension
 - (ii) permanent removal of its constituent elements from the land.
- (i) and (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect;
- (2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;
- (3) institute legal proceedings in the event of failure to:
- (i) supply the information required by the 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.
1034. **79 Pinner Hill Road, Pinner:**
The Committee received a report of the Group Manager (Planning and Development) in this regard.
- RESOLVED:** That the Director of Legal Services be authorised to:
- (1) issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (i) demolition of the garage
 - (ii) permanent removal of its constituent elements from the land.
- (i) and (ii) should be complied with within a period of three (3) months from the date on which the Notice takes effect;
- (2) issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control;
- (3) institute legal proceedings in the event of failure to:
- (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and/or
 - (ii) comply with the Enforcement Notice.

1035. **Hill House, 7 Mount Park Road, Harrow on the Hill:**
The Committee received a report of the Group Manager (Planning and Development) on the above matter.
- 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) removal of all kitchens except for one
 - (ii) removal of all bathrooms except for the original three
 - (iii) reversion of the flat back into a single dwelling house by removing internal door locks, door bells and all meters except one gas, one water and one electricity meter
 - (iv) removal of the kitchen facility from the garage
 - (v) cessation of the use of the garage as a dwellinghouse
 - (vi) permanent cessation of the use of the property as flats.
- (i), (ii), (iii), (iv), (v) and (vi) 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.
1036. **102, 104 and 106 High Street, Harrow on the Hill:**
The Committee received a report of the Group Manager (Planning and Development) in this regard and an associated confidential report which detailed Counsel's Opinion.
- RESOLVED:** That (1) consideration of whether or not to undertake enforcement action be deferred until the outcome of the discontinuance enquiry was available;
- (2) in the meantime, Orange plc be advised of the Council's very strong views in respect of the need for planning permission and Listed Building Consent in relation to this unauthorised development and that they be urged to regularise the position.
- (See also Minute 1026 and 1027)
1037. **Variation of S106 Agreement, Heathfield School:**
The Committee received a report of the Group Manager (Planning and Development) on the above matter.
- A Member advised the Committee that she had requested officers to bring to the meeting a copy of the petition which had been submitted in relation to this matter. As the petition was not available at the meeting, the Committee
- RESOLVED:** To defer consideration of the report until the next meeting, when the petition would be available.
- (See also Minute 1026)
1038. **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.

(Note: The meeting having commenced at 7.30 pm on 9 November 2005, adjourned at 2.03 am, reconvened at 7.30 pm on 16 November 2005, and closed at 11.40 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/04 **APPLICATION NO:** P/1704/05/COU
LOCATION: Royal National Orthopaedic Hospital, Brockley Hill, Stanmore
APPLICANT: Drivers Jonas for Royal National Orthopaedic Hospital
PROPOSAL: Outline: Partial redevelopment to provide new hospital and associated facilities, housing (including staff), revised road junction, car parking and open space
DECISION: DEFERRED to enable officers to provide Members with additional information.

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

(2) upon being put to a vote, the motion to grant the application as per the recommendation of the Group Manager (Planning and Development) was not carried;

(3) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted for the decision to grant the application;

(4) subsequently, it was moved and seconded that the application be deferred to enable officers to provide Members with additional information; upon being put to a vote, this was carried (the Chair having used her second and casting vote;

(5) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted for the decision to defer the application;

(6) subsequently, it was moved and seconded that the motion to defer the application be revoked; upon being put to a vote, this was not carried;

(7) Councillors Bluston, Choudhury, Idaikkadar, Miles and Anne Whitehead wished to be recorded as having voted against the decision to revoke deferral of the application].

(See also Minute 1026, 1027 and 1029)
