



**DEVELOPMENT CONTROL
COMMITTEE
WEDNESDAY 7 JUNE 2006
7.30 PM**

COMMITTEE AGENDA

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

MEMBERSHIP (Quorum 3)

TO BE APPOINTED AT EXTRAORDINARY COUNCIL ON 31 MAY 2006

Chair:

Reserve Members:

TO BE APPOINTED AT EXTRAORDINARY COUNCIL ON 31 MAY 2006

**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 7 JUNE 2006

AGENDA - PART I

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

1. **Appointment of Chair for the Municipal Year 2006/07:**
To note the appointment at the Extraordinary Meeting of the Council on 31 May 2006 (subject to confirmation of that decision) of a Chair of this Committee for the Municipal Year 2006/07.
2. **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.

[Note: The Members of the Committee for 2006/07 are as appointed by the Extraordinary Council Meeting of 31 May 2005.]

3. **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.
4. **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.

5. **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 Part 1 of Schedule 12A to the Local Government Act 1972 (as amended);

(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.
6. **Appointment of Vice-Chair:**
To appoint (subject to confirmation of the Committee's membership) a Vice-Chair of the Committee for the Municipal Year 2006/07.
- Enc. 7. **Minutes:** (Pages 3 - 24)
That the minutes of the meeting held on 11 April 2006, having been circulated, be taken as read and signed as a correct record.
8. **Public Questions:**
To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).
9. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors.
10. **Deputations:**
To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B) of the Constitution.
11. **References from Council and other Committees/Panels:**
To receive references from Council and any other Committees or Panels (if any).
12. **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.
13. **Planning Applications Received:**
Report of the Group Manager (Planning and Development) - circulated separately.
- Enc. 14. **Planning Appeals Update:** (Pages 25 - 28)
Report of the Group Manager (Planning and Development).

FOR INFORMATION

- Enc. 15. **Enforcement Notices Awaiting Compliance:** (Pages 29 - 38)

FOR INFORMATION

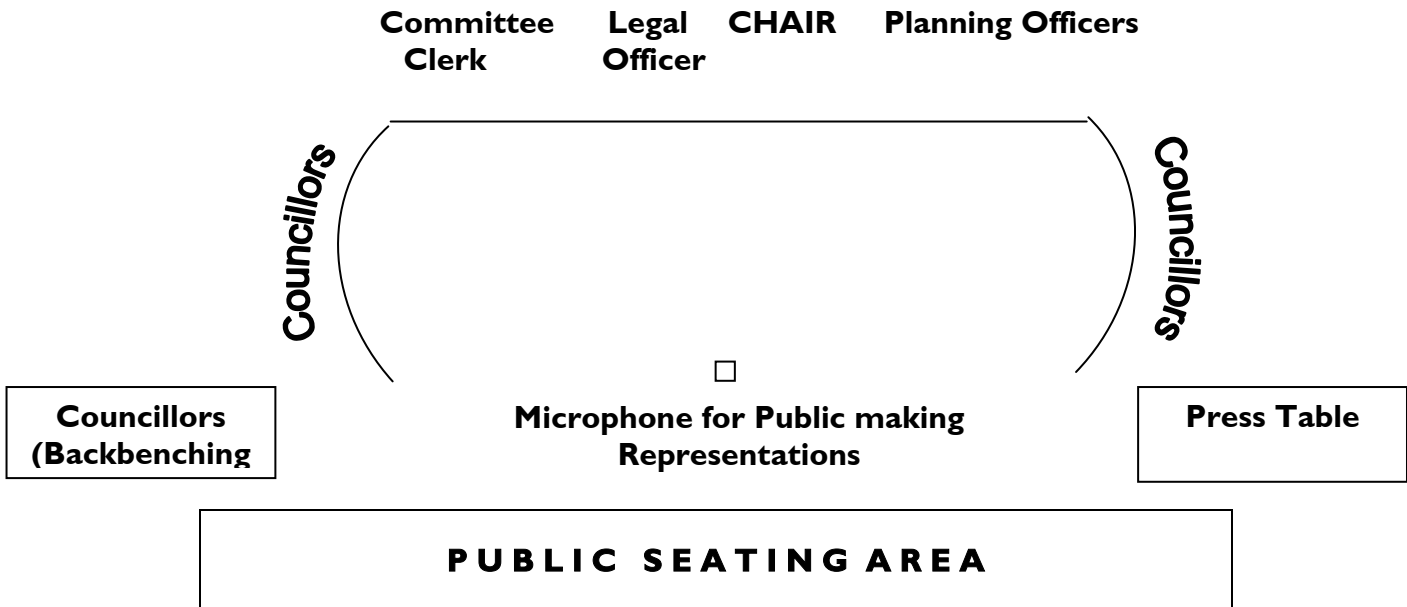
- Enc. 16. **Variation of Section 106 Agreement, Clementine Churchill Hospital, 9 Sudbury Hill, Harrow:** (Pages 39 - 42)
Report of the Director of Legal Services.
- Enc. 17. **Former Cloister Wood Fitness Club:** (Pages 43 - 54)
Report of the Group Manager (Planning and Development).
- Enc. 18. **7 Lansdowne Road, Stanmore:** (Pages 55 - 68)
Report of the Group Manager (Planning and Development).
- Enc. 19. **32 Rusland Park Road, Harrow:** (Pages 69 - 84)
Report of the Group Manager (Planning and Development).
- Enc. 20. **341A Northolt Road, South Harrow:** (Pages 85 - 94)
Report of the Group Manager (Planning and Development).
- Enc. 21. **65 Langland Crescent, Harrow:** (Pages 95 - 102)
Report of the Group Manager (Planning and Development).
- Enc. 22. **71 Bouverie Road, Harrow:** (Pages 103 - 114)
Report of the Group Manager (Planning and Development).
23. **Any Other Urgent Business:**
Which cannot otherwise be dealt with.
24. **Member Site Visits:**
- (i) To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).
 - (ii) At its meeting held on 11 April 2006, the Committee resolved that Member visits be arranged to the following sites, after the membership of the Committee for the Municipal Year 2006/07 had been agreed by Council:
 - 48 Ellement Close, Pinner
 - Ebberston, 39 South Hill Avenue, Harrow

The Committee is now requested to arrange dates for Member visits to these sites.

AGENDA - PART II - NIL

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

Committee Room Layout



Order of Committee Business

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

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

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

Rights of Objectors/Applicants to Speak at Development Control Committees

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

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

Planning Services advises neighbouring residents and applicants of this procedure.

The Development Control Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are also set out in the "**Guide for Members of the Public Attending the Development Control Committee**" which is available in both the Planning 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 7.00 pm onwards.

Decisions taken by the Development Control Committee

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

Refuse permission:

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

Grant permission as recommended:

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

Minded to grant permission contrary to officer's recommendation:

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

Defer for a site visit:

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

Defer for further information/to seek amendments:

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

Grant permission subject to a legal agreement:

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

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

REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 11 APRIL 2006

Chair: Councillor Anne Whitehead

Councillors: * Marilyn Ashton (Vice-Chair in the Chair) * Idaikkadar
* Mrs Bath * Miles
* Billson * Mrs Joyce Nickolay
* Bluston * Thammiah (3)
* Choudhury Thornton
* Janet Cowan

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

[Note: Councillors Osborn, Romain, N Shah and Silver also attended this meeting to speak on the items indicated at Minute 1134 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1133. **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 Anne Whitehead	Councillor Thammiah

1134. **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 Osborn	Planning Applications 2/13 and 5/05
Councillor Romain	Planning Applications 3/05 and 5/02
Councillor N Shah	Planning Applications 1/02 and 2/14
Councillor Silver	Planning Application 3/01

1135. **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 Applications 1/01 - Edgware Football Club, Burnt Oak Broadway, Edgware
Councillor Bluston declared a personal interest in the above application arising from the fact that he had watched and played football at the club and knew some of the club's members. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item. During discussion on the above item, Councillor Bluston declared a further personal interest arising from the fact that he was a member of Harrow Sports Council.

Councillor Miles also declared a prejudicial interest in the above application arising from the fact that he was a member of Harrow Borough Football Club which played in the same division as Edgware Town Football Club. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.

- (ii) Planning Application 1/03 – The Silver Trumpet P.H., 41-43 Station Road, Harrow
Councillor Bluston declared a prejudicial interest in the above application arising from the fact that he had visited the establishment. Accordingly, he

would remain in the room and take part in the discussion and decision-making on this item.

- (iii) Planning Application 2/01 – 373-375 Station Road, Harrow
Councillor Choudhury declared a prejudicial interest in the above application arising from the fact that he had been a member of the Licensing Panel that had determined the licensing application for the premises. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.
- (iv) Planning Application 2/06 – Garden Lodge, Grimsdyke Hotel, Old Redding, Harrow Weald
Councillor Ashton declared a personal interest in the above applications arising from the fact that she was a Local Authority appointee to the Harrow Weald Common Board of Conservators and her son would be getting married at the venue. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.
- (v) Planning Application 2/07 – 10 Hall Farm Close, Stanmore
Councillor Bluston declared a personal interest in the above application arising from the fact that he was acquainted with a person who lived opposite the location of the development. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (vi) Planning Application 2/15 – Bothy Shed, Canons Park Open Space, Edgware
Councillor Janet Cowan declared a personal interest in the above item arising from the fact that she was a member of the Friends of Canons Park and the Canons Park Residents' Association. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.
- (vii) Planning Application 2/16 – The Eclipse, 3 Shaftesbury Parade, Shaftesbury Avenue, South Harrow
Councillor Idaikkadar declared a prejudicial interest in the above application arising from the fact that he had been a member of the Licensing Panel that had determined the licensing application for the premises. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.
- (viii) Planning Applications 2/19 and 2/20 and Agenda Item 17 - East End Farm, Moss Lane, Pinner
Councillor Bluston declared a prejudicial interest in the above related items. Accordingly, he would leave the room and take no part in the discussion or decision-making on these items.
- (ix) Planning Application 2/21 – Commercial House, 486 Honeypot Lane, Stanmore
Councillor Thammiah declared a personal interest in the above application arising from the fact that the proposed development was in his Ward. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (x) Planning Application 2/23 – Basin Lake, Canons Drive, Edgware
Councillor Janet Cowan declared a prejudicial interest in the above item arising from the fact that she lived close to the location of the proposed development. Accordingly, she would leave the room and take no part in the discussion or decision-making on this item.
- (xi) Planning Application 3/03 – 427-431 Rayners Lane, Rayners Lane
Councillors Janet Cowan and Idaikkadar declared a prejudicial interest in the above application arising from the fact that they had been members of the Licensing Panel that had determined the licensing application for the premises. Accordingly, they would leave the room and take no part in the discussion or decision-making on this item.
- (xii) Planning Application 3/04 - The Black Pepper Restaurant, 461 Uxbridge Road, Hatch End
Councillor Idaikkadar declared a prejudicial interest in the above application arising from the fact that he had been a member of the Licensing Panel that had determined the licensing application for the premises. Accordingly, he would leave the room and take no part in the discussion or decision-making on this item.

- (xiii) Planning Application 3/05 – Land adj to 36 Pangbourne Drive, Stanmore and 5/02 – Junction of Du Cros Drive and Merrion Avenue, Stanmore
Councillor Ashton declared a personal interest in the above applications arising from the fact that she had attended a pre-application public consultation meeting regarding the proposed developments, having been advised by an officer from Legal Services that it would not be inappropriate for her to attend. Accordingly, she would remain in the room and take part in the discussion and decision-making on this item.

1136. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item 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.
11. Planning Applications Received – Item Nos: 3/05, 3/06 and 5/05	These reports were not available at the time the main agenda was printed and circulated. They were included on the agenda in view of the significant public concern over the developments, as the next meeting of the Committee was not until 7 June 2006.
17. East End Farm Barns – Part II Appendix to the Part II Report	The information required to compile the appendix had not been available at the time the main agenda was printed and circulated. The appendix contained information to support the report circulated with the main agenda.
19. Statutory Notifications	The proposed change in statutory notification, if agreed, would need to be implemented as soon as possible. Due to the Borough Elections, the next meeting of the Development Control Committee was not until 7 June 2006.

(2) agenda item 18 – Structure of the Development Control Committee, which had been circulated on the supplemental agenda, be withdrawn;

(3) 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>
17. East End Farm Barns and Appendix to the Report	The report relating to this item contained exempt information under Paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972 in that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional could be maintained in legal proceedings.

1137. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 15 March 2006, those minutes having been circulated, as a correct record, once printed in the Council Bound Volume.

1138. **Public Questions:**

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

1139. **Petitions:**

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

- (i) Petition registering objection to any development of the White Lion ground
Mr Stuart Jacobs presented the above petition, which had been signed by approximately 525 people.

(See also item 1/01 on the attached Schedule of Planning Applications).

1140. **Deputations:**

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

1141. **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.

1142. **Representations on Planning Applications:**

Having been advised that notification of a representation in respect of item 2/11 on the list of planning applications had been received after the deadline specified in Committee Procedure Rule 17.2 (Part 4B of the Constitution), the Committee

RESOLVED: That (1) in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of items 1/01, 2/12 and 2/14 on the list of planning applications;

(2) in accordance with Committee Procedure Rule 26.1, Committee Procedure Rule 17.2 (Part 4B of the Constitution) be suspended in order to receive a representation in respect of item 2/11 on the list of planning applications.

1143. **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.

1144. **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: To note the report.

1145. **Enforcement Notices Awaiting Compliance:**

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

RESOLVED: To (1) note the report;

(2) note that a Notice had been served on 4 Elm Park , which appeared on the list in error.

1146. **1 Wynlie Gardens, Pinner:**

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

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

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

- (i) cessation of the use of the detached garden building as a single-family dwellinghouse;

- (ii) the demolition of the internal ground floor walls of the detached outbuilding;
- (iii) the permanent removal from the land of all materials arising from compliance with (ii) above;
- (iv) the permanent removal of all internal fixtures and fittings including all bathroom and kitchen fittings from the detached garden building.

(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.

1147. **7 Sancroft Road, Harrow:**

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

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

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

- (i) the demolition of all that part of the single storey extension that projects backwards beyond the rear building line of the original dwellinghouse;
- (ii) the demolition of the rear decking, railings and steps;
- (iii) the permanent removal from the land of the materials arising from compliance with the requirements in (i) and (ii) above.

(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.

1148. **East End Farm Barns:**

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

RESOLVED: That (1) the approach set out in Option (c) of the report be approved;

(2) the report be noted.

1149. **Statutory Notifications:**

This item had been added to the agenda at the request of the Nominated Member for the Conservative Group, who proposed that, in view of the recent Appeal Decision in relation to Maurville House, residents of care homes be notified if a planning application was submitted relating to the care home premises.

RESOLVED: That officers be requested to submit to the next meeting of the Committee a report setting out in detail the issues regarding notification in relation to residents of care homes.

1150. **Any Other Urgent Business:**(i) Member Site Visits

RESOLVED: That site visits to the following be arranged after the membership of the Committee for the Municipal Year 2006/07 had been agreed by Annual Council at its meeting on 25 May 2006:

- (i) 48 Ellement Close, Pinner (Planning Application 2/05)
- (ii) Ebberston, 39 South Hill Avenue, Harrow (Planning Application 2/11)

(ii) Vote of Thanks

Noting that this was the last meeting of the Committee before the Borough Elections, the Chair expressed her thanks to all Members and officers who had been involved with the work of the Committee.

1151. **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 11.30 pm;

(2) at 11.00 pm to continue until 12.00 midnight.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.50 pm).

(Signed) MARILYN ASHTON
Vice-Chair in the Chair

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/2714/05/COU

LOCATION: Edgware Football Club, Burnt Oak Broadway, Edgware

APPLICANT: Cornerstone Architects Ltd for Edgware Developments Ltd

PROPOSAL: Outline: Redevelopment to Provide 164 Flats and 11 Houses in 9 Blocks, Access Roads, Parking and Open Space.

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

- (i) The proposed development is contrary to the HUDP policy EP47, which states in paragraph 3.149 that there will be a presumption against the development of playing fields except where suitable alternative provision is made. The removal of this outdoor recreational facility cannot be relocated with certainty since the proposed venue of Prince Edward Playing Fields is not completed and therefore is not a convenient and accessible option, contrary to policy EP47 of HUDP.
- (ii) The proposed development is contrary to PPG17 paragraph 10 of the HUDP and EP47 because it has not been satisfactorily demonstrated that the open space is surplus to requirements.

[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 consideration of the application be deferred to enable further information to be sought; upon being put to a vote this was not carried, the Chair having used her second and casting vote;

(3) subsequently, it was moved and seconded that the application be refused for the reasons given above; upon being put to a vote, this was carried;

(4) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;

(5) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

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

(See also Minutes 1135, 1139 and 1142)

LIST NO: 1/02 **APPLICATION NO:** P/3178/05/CFU

LOCATION: 408-412 Kenton Road, Kenton

APPLICANT: Twigg Brown Architects for Stephen Howards Homes & LUPO Ltd

PROPOSAL: Redevelopment: 2 to 5 Storey Building to Provide 37 Flats with Underground Parking (Revised).

DECISION: DEFERRED to clarify affordable housing issues and parking/traffic issues in relation to the access and junction with Kenton Road.

(See also Minute 1134)

LIST NO: 1/03 **APPLICATION NO:** P432/06/CFU
LOCATION: The Silver Trumpet Public House, 41/43 Station Road, Harrow
APPLICANT: Meadpark Properties Ltd
PROPOSAL: Alterations and Roof Extension including Dormer Windows to Existing Building and Change of Use of Upper Floors from Public House to 11 Flats (Class A4 to C2).
DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported, as amended on the Addendum.
(See also Minute 1135)

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P2567/05/CVA
LOCATION: 373-375 Station Road, Harrow
APPLICANT: Hephher Dixon for JD Wetherspoon
PROPOSAL: Variation of Condition 3 of Permission WEST/42514/95/FUL
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported, as amended on the Addendum.
(See also Minute 1135)

LIST NO: 2/02 **APPLICATION NO:** P/3689/05/DFU
LOCATION: Park View, 14 Mount Park Road, Harrow
APPLICANT: Paul Archer Design for Bobby Anand
PROPOSAL: Front and Rear Dormer; Alterations to Side and Rear Elevation
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/03 **APPLICATION NO:** P/149/06/CFU
LOCATION: Micklefield, 1 Park View Road, Pinner
APPLICANT: Orchard Associates for Mr & Mrs A Govani
PROPOSAL: Retention of Rear Terrace, Retaining Wall and Side Paving
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the informatives reported.

LIST NO: 2/04 **APPLICATION NO:** P/2292/05/COU
LOCATION: 1 Marlborough Hill, Harrow
APPLICANT: G & D Higgins
PROPOSAL: Outline: Four Storey Building with Basement Workshop/Store, Parking at Ground Floor, Offices at 1st Floor, 4 Flats at 2nd/3rd Floor.
DECISION: WITHDRAWN.

[Note: The above application had been determined under delegated powers on 3 April 2006 and had appeared on the agenda in error].

LIST NO: 2/05 **APPLICATION NO:** P273/06/DFU
LOCATION: 48 Ellement Close, Pinner
APPLICANT: C&S Associates/W H Saunders for S Carpenter Esq
PROPOSAL: Two Storey Side to Rear Extension to Form Two Self-Contained Flats
DECISION: DEFERRED for a Member site visit.

[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 the discussion on the above item, it was moved and seconded that the application be deferred for a Member site visit; upon being put to a vote this was carried;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the application to be deferred;

(4) Councillor Miles wished to be recorded as having voted against the decision to defer the application].

(See also Minute 1142)

LIST NO: 2/06 **APPLICATION NO:** P/2353/05/CFU
LOCATION: Garden Lodge, Grimsdyke Hotel, Old Redding, Harrow Weald
APPLICANT: Farrell & Co for Grims Dyke Hotel
PROPOSAL: 2 Roof Vents in Front Roof Slope
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informative reported.

(See also Minute 1135)

LIST NO: 2/07 **APPLICATION NO:** P/378/06/CFU
LOCATION: 10 Hall Farm Close, Stanmore
APPLICANT: Mr D C Bhavsar for Mr D Shah
PROPOSAL: Single Storey Side and Rear Extensions and Roof Extensions
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 1135)

LIST NO:	2/08	APPLICATION NO:	P/128/06/DFU
LOCATION:	64 Headstone Road, Harrow		
APPLICANT:	Mr D Y Xioutas		
PROPOSAL:	Rear Dormer; Alterations and Conversion to 4 Self-Contained Flats (Resident Permit Restricted)		
DECISION:	<p>REFUSED permission for the development described in the application and submitted plans, for the following reasons:</p> <ul style="list-style-type: none"> (i) The proposed development, by reason of inadequate provision for on site car parking and refuse/waste bins storage, presents an un-neighbourly form of development and will be detrimental to the residential amenities of the occupants of the neighbouring properties, and will result in an unacceptable overdevelopment of the site. (ii) The activity and disturbance associated with the conversion of one single family dwelling into four separate units will be detrimental to the quality of life and residential amenities of the neighbouring occupiers. (iii) The proposed development would not be fully accessible and would fail to make adequate provision for people with disabilities, thereby conflicting with the policies of the Harrow Unitary Development Plan. <p>[Notes: (1) The Group Manager (Planning and Development) had recommended, on the Addendum, that the above application be deferred to await revised proposals to indicate disabled access to the two ground floor flats;</p> <p>(2) during discussion on the above item, it was moved and seconded that consideration of the application be not deferred; upon being put to a vote, this was carried, the Chair having used her second and casting vote;</p> <p>(3) subsequently, it was moved and seconded that the application be refused for the reasons given above; upon being put to a vote, this was carried;</p> <p>(4) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;</p> <p>(5) the Committee wished it to be recorded that the decision to refuse the application was unanimous].</p>		

LIST NO:	2/09	APPLICATION NO:	P/1500/05/CLB
LOCATION:	Bridle Cottages, Brookshill Drive, Harrow		
APPLICANT:	Mr Fitzgerald		
PROPOSAL:	Listed Building Consent: Replacement Weatherboarding, External Door and Windows and Internal Alterations		
DECISION:	GRANTED listed building consent in accordance with the works described in the application and submitted plans, subject to the conditions and informatives reported.		

LIST NO: 2/10 **APPLICATION NO:** P/3015/05/CFU

LOCATION: Red Corners, 9 Brookshill Drive, Harrow

APPLICANT: Kenneth Reed & Associates for Jon Kempner

PROPOSAL: Redevelopment to Provide Replacement Detached 2/3 Storey House with Integral Garage.

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

(i) The proposal would be detrimental to the character of the Conservation Area and Area of Special Character by reason of the bulk and height of the roofline which would not preserve or enhance the Conservation Area located within the Green Belt.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for the decision to refuse the application (the Chair having used her second and casting vote);

(2) Councillors Bluston, Choudhury, Idaikkadar, Miles and Thammiah wished to be recorded as having voted against the decision to refuse the application;

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

LIST NO: 2/11 **APPLICATION NO:** P/75/06/D/DFU

LOCATION: Eberston, 39 South Hill Avenue, Harrow

APPLICANT: Kenneth W Reed & Associates for Mr & Mrs J Snowdon

PROPOSAL: First Floor Rear Extension

DECISION: DEFERRED for a Member site visit.

[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 the discussion on the above item, it was moved and seconded that the application be deferred for a Member site visit; upon being put to a vote this was carried].

(See also Minutes 1142 and 1150)

LIST NO: 2/12 **APPLICATION NO:** P/151/06/DFU

LOCATION: 4 Longley Road, Harrow

APPLICANT: Sola Design Studio for Mr Saleem

PROPOSAL: Conversion of Dwellinghouse to Three Self Contained Flats; Roof Lights

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

(i) The proposal represents an over-intensive use of the property and will be detrimental to the residential amenities of the neighbouring occupiers by reason of the additional activity and disturbance associated with the conversion of one single family dwelling into three separate units.

(ii) There is inadequate parking provision, which will give rise to

overspill parking to the detriment of the residential amenities of the neighbouring properties and free flow and safety of traffic.

- (iii) There are no drawings setting out how the refuse storage needed for 6 bins will be adequately provided, to the detriment of the amenities of future occupiers and neighbouring residents.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, which were noted;

(2) there was no indication that a representative of the applicant was present and wished to respond;

(3) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;

(4) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

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

(See also Minute 1142)

LIST NO:	2/13	APPLICATION NO:	P/303/06/DFU
LOCATION:	1 The Chase, Pinner		
APPLICANT:	Larkridge Development Group		
PROPOSAL:	Two Storey Side Extension to Form New Dwelling		
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, and the following amendment to Condition 4: After "planting specification" add "...and the retention of the front hedge..."		

LIST NO:	2/14	APPLICATION NO:	P/263/06/DFU
LOCATION:	33 Lulworth Gardens, Harrow		
APPLICANT:	J I Kim for Ms J Pulpanova		
PROPOSAL:	Two Storey Side and Rear, Single Storey Rear Extension and Conversion to Three Self Contained Flats		
DECISION:	REFUSED permission for the development described in the application and submitted plans, for the following reasons: (i) The conversion of one single family dwelling into three separate units will give rise to increased activity and disturbance associated with an over intensive use of the property, to the detriment of the amenities of the neighbouring residents. (ii) There are no drawings setting out how the refuse storage needed for 6 bins will be adequately provided, together with two parking spaces, to the detriment of the amenities of the future occupiers and neighbouring residents.		

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, which were noted;

(2) there was no indication that a representative of the applicant was present and wished to respond;

LIST NO: 2/17 **APPLICATION NO:** P/2492/05/CVA
LOCATION: Skewers Restaurant, 497 Northolt Road, South Harrow
APPLICANT: Osman Karakaya
PROPOSAL: Variation of Condition 9 of Permission WEST/13/05/FUL which Restricts Opening Hours
DECISION: GRANTED variation in accordance with the development described in the application and submitted plans, as amended on the Addendum, subject to the condition and informative reported.

LIST NO: 2/18 **APPLICATION NO:** P/97/06/CFU
LOCATION: 8 Cleopatra Close, Stanmore, Plot 1
APPLICANT: Lewis Bloch
PROPOSAL: Swimming Pool in Rear Garden
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/19 **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: INFORM the applicant that:

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

(i) occupation of the house hereby permitted shall not take place until all repairs to Barn B as detailed in the schedule of repairs (ref.309.8.0405.tc.01) accompanying the application have been completed to the satisfaction in writing of the Local Planning Authority.

(2) a formal decision notice, granting permission in accordance with the development described in the application and submitted plans, subject to the planning conditions and informatives reported and as amended on the Addendum, will be issued only upon the completion by the applicant of the aforementioned legal agreement.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the above decision;

(2) the Committee wished it to be recorded that the above decision was unanimous].

(See also Minutes 1135 and 1148)

LIST NO: 2/20 **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

DECISION: GRANTED listed building consent in accordance with the works described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to grant the application;

(2) the Committee wished it to be recorded that the decision to grant the application was unanimous].

(See also Minutes 1135 and 1148)

LIST NO: 2/21 **APPLICATION NO:** P/3040/05/CFU

LOCATION: Commercial House, 486 Honeypot Lane, Stanmore

APPLICANT: Rissoff Waud Associates for Property & Management Services

PROPOSAL: First Floor Extension and Change of Use from Warehouse (Class B8) to Office (B1) Use

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

(See also Minute 1135)

LIST NO: 2/22 **APPLICATION NO:** P/2896/05/DFU

LOCATION: 6 Georgian Way, Harrow

APPLICANT: Robin G Benyon for Larksworth Investments Ltd

PROPOSAL: Alterations and First Floor Rear Extension; Enlarge Roof and Raise Height, Single Storey Side Extension

DECISION: (1) DEFERRED the application to allow officers to negotiate a reduction in the number of rooflights on the front roof slope, to remove the central bank of four rooflights;

(2) RESOLVED that (i) subject to satisfactory amendments, officers to determine the application under delegated powers;

(ii) if the negotiations described under (1) above do not prove satisfactory, the application be brought back to the Committee for determination.

LIST NO: 2/23 **APPLICATION NO:** P/284/06/CFU

LOCATION: Basin Lake, Canons Drive, Edgware

APPLICANT: Myra Stephens for Surplus Lands

PROPOSAL: Repair and Refurbish of Embankment to Basin Lake

DECISION: GRANTED listed building consent in accordance with the works described in the application and submitted plans, subject to the condition and

informatives reported.

[Note: The Committee noted the additional information reported on the Addendum].

(See also Minute 1135)

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO:	3/01	APPLICATION NO:	P/179/06/DFU
LOCATION:	31 Northumberland Road, Harrow		
APPLICANT:	Mr Q Kazaz		
PROPOSAL:	Retention of Extensions and Alterations and Conversion of Extended Dwelling to Two-Self Contained Dwellings		
DECISION:	REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the reasons and informative reported, and the following additional reasons:		
	(v) The single storey front extension, by reason of excessive bulk and forward projection beyond that which has been granted planning permission, 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 HUDP.		
	(vi) The single and two storey rear extension, by reason of excessive bulk and rear projection, beyond that which has been granted planning permission, 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 HUDP.		
	[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;		
	(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous].		
	(See also Minute 1134)		

LIST NO:	3/02	APPLICATION NO:	P/2971/05/CFU
LOCATION:	38 Cecil Park & 58 Marsh Road, Pinner, Reddiford School		
APPLICANT:	Orms Architects for Reddiford School		
PROPOSAL:	Change of Use of 58 Marsh Road to Use for Educational Purposes and construction of 3 Temporary Classroom Buildings at Rear		
DECISION:	REFUSED permission for the development described in the application and submitted plans for the reasons and informatives reported.		

LIST NO:	3/03	APPLICATION NO:	P/3000/05/DVA
LOCATION:	427-431 Rayners Lane, Rayners Lane		
APPLICANT:	Harrow Law Practice for Mr H Patel		
PROPOSAL:	Variation of Condition 2 of Planning Permission on Appeal T/APP/M5450/A/98/291610/P5 to Permit Opening 07:00 – 00:30 Hours Mon-Thurs & 07:00 – 01:30 Hours Fri-Sat & 09:00 – 23:30 Hours Sun		

DECISION: REFUSED permission for the variation described in the application and submitted plans for the reason and informative reported.
(See also Minute 1135)

LIST NO: 3/04 **APPLICATION NO:** P/240/06/DVA
LOCATION: The Black Pepper Restaurant, 461 Uxbridge Road, Hatch End
APPLICANT: David Wineman for Iveria Limited
PROPOSAL: Removal of Condition 11 on Planning Permission WEST/122/96/FUL Restricting Hours of Use (10.30 – 23.00 Hours Mon-Sat and 10.30 – 22.30 Hours on Sunday)
DECISION: REFUSED permission for the variation described in the application and submitted plans for the reason and informative reported.
(See also Minute 1135)

LIST NO: 3/05 **APPLICATION NO:** P/458/06/CFU
LOCATION: Land adj to 36 Pangbourne Drive, Stanmore
APPLICANT: PHA Communications Ltd for Orange PCS Ltd
PROPOSAL: Installation of 8 metre high slim line pole with one antenna and equipment cabin
DECISION: REFUSED approval of details of siting/appearance for the reason and informative reported.
[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;
(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous;
(3) the Committee noted that page 5 of the Addendum contained an error in that 3/05 should read 5/05].
(See also Minutes 1134 and 1135)

LIST NO: 3/06 **APPLICATION NO:** P/554/06/CFU
LOCATION: Jctn with Bessborough Road & West Street, Harrow
APPLICANT: PHA Communications Ltd
PROPOSAL: Installation of 15 metre high slim line pole with three antennae, one dish and four equipment cabins
DECISION: REFUSED permission for the development described in the application and submitted plans for the reason and informative reported.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

LIST NO: 4/01 **APPLICATION NO:** P/629/06/CAN
LOCATION: Land at Junction of Hillside Road, and Potter Street Hill, Northwood
APPLICANT: London Borough of Hillingdon
PROPOSAL: Consultation from LB of Hillingdon Installation of 10M High Telecom Pole with Antenna and Equipment Cabinet
DECISION: OBJECT to the development set out in the application and submitted plans for the reason and informative reported.

LIST NO: 4/02 **APPLICATION NO:** P/356/06/CAN
LOCATION: Land at Victoria Road, South Ruislip, Middx
APPLICANT: Stappard Howes
PROPOSAL: Consultation: Installation of 11.4 metre High Imitation Telegraph Pole Mobile Phone Mast and Equipment Cabinets
DECISION: OBJECT to the development set out in the application and submitted plans for the following reason:
(i) The proposal, by reason of excessive size, and unsatisfactory siting and appearance would be visually prominent to the detriment of the visual amenity of the surrounding locality.
[Note: The Group Manager (Planning and Development) had recommended that there be no objection].

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO: 5/01 **APPLICATION NO:** P/615/06/CDT
LOCATION: Kenton Lane Billboards, Kenton Lane, Harrow
APPLICANT: Mason D Telecom
PROPOSAL: Determination: Installation of 11.8 Metre High Telecommunication Lamp Post and Equipment Cabinet
DECISION: (1) RESOLVED that prior approval of siting and appearance be required.
(2) REFUSED approval of details of siting/appearance for the reason reported.
[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;
(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous].

LIST NO: 5/02 **APPLICATION NO:** P/442/06/CDT
LOCATION: Junction at Du Cros Drive and Merrion Avenue, Stanmore
APPLICANT: PHA Communications Ltd
PROPOSAL: Determination: Erection of 8M Telecomms Pole with One Antenna and Equipment Cabinet.

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

(2) REFUSED approval of details of siting/appearance for the reason reported.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiyah wished to be recorded as having voted for the decision to refuse the application;

(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous].

(See also Minutes 1134 and 1135)

LIST NO: 5/03 **APPLICATION NO:** P/441/06/CDT

LOCATION: Land O/S 354 High Road, Harrow Weald

APPLICANT: PHA Communications Ltd

PROPOSAL: Determination: 15 Metre High Slimline Telegraph Pole with Three Antennas and One Dish and Four Equipment Cabinets.

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

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

(i) The proposal, by reason of excessive size, and unsatisfactory siting and appearance would be visually obtrusive and unduly prominent and would result in a proliferation of street furniture to the detriment of the visual amenity of the surrounding locality.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiyah wished to be recorded as having voted for the decision to refuse the application;

(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

(3) the Group Manager (Planning and Development) had recommended that prior approval of siting and appearance be not required].

LIST NO: 5/04 **APPLICATION NO:** P/459/06/CDT

LOCATION: Land Adj. To 86 George V Avenue, Pinner

APPLICANT: PHA Communications Ltd for Orange PCS Ltd

PROPOSAL: Installation of 10M Telegraph Pole with One Antenna and Equipment Cabinet.

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

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

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

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiyah wished to be recorded as having voted for the decision to refuse

the application;

(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

(3) the Group Manager (Planning and Development) had recommended that prior approval of siting and appearance be not required].

LIST NO: 5/05 **APPLICATION NO:** P/826/06/CDT

LOCATION: Grass verge fronting 98 Albury Drive, at junction with Evelyn Drive, Pinner

APPLICANT: PHA Communications Ltd for Orange Personal Communications

PROPOSAL: Prior approval determination: 8 metre high telecommunications mast (telegraph pole design) with 1 antenna and equipment cabinet

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

(2) REFUSED approval of details of siting/appearance for the reason reported.

[Notes: (1) Councillors Marilyn Ashton, Mrs Bath, Billson, Bluston, Choudhury, Janet Cowan, Idaikkadar, Miles, Mrs Joyce Nickolay and Thammiah wished to be recorded as having voted for the decision to refuse the application;

(2) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

(3) the Committee noted that page 5 of the Addendum contained an error in that 3/05 should read 5/05].

(See also Minute 1134)

LIST NO: **APPLICATION NO:** P/883/06/CDT

LOCATION: Land fronting 93 Bridge Street, Pinner

APPLICANT: Wladon Telecom Ltd for O2 (UK) Ltd

PROPOSAL: Prior approval determination: 15m high telecommunications mast with 2 antennae and equipment cabinets

DECISION: (1) RESOLVED that prior approval of details of siting and appearance be required;

(2) REFUSED, subject to consultation response, prior approval of details of siting and appearance for the development described in the application and submitted plans, for the reason reported.

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

LIST NO: **APPLICATION NO:**

LOCATION: 85 Capthorne Avenue, Harrow

APPLICANT: PHA Communications Ltd

PROPOSAL: Erection of 8m high telecom pole and equipment cabinet at ground level

DECISION: (1) RESOLVED that prior approval of details of siting and appearance be required;

(2) REFUSED prior approval of details of siting and appearance for the

development described in the application and submitted plans, for the reason reported.

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

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LIST DATE: 24.05.06

APPEALS BEING DEALT WITH

WRITTEN REPRESENTATIONS	LOCAL REF:	OFFICER	QUESTIONNAIRE DUE/SENT	STATEMENT DUE	SITE VISIT DATE/TIME
Lnd at Roundabout, Streatfield Road	3458	SC2	Sent 02.05.06	30.05.06	
61 Love Lane, Pinner	3462	SB5	Sent 19.05.06	16.06.06	
146 Pinner Hill Road, Pinner	3463	CM2	Sent 16.05.06	07.06.06	
4 Elm Park (Enforcement)	3469	CM2	Sent 24.05.06	21.06.06	
38 Headstone Gardens (Enforcement)	3470	GW	Sent 24.05.06	21.06.06	
114 Eastcote Lane, South Harrow	3472	PDB	Sent 19.05.06	14.06.06	

HEARINGS	LOCAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	HEARING/INQUIRY VENUE
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	21.06.06	
R/o 32 High Street, Pinner	3338	PDB	Sent 20.07.05	05.07.06	
56 Potter Street, Pinner	3356	OH	Sent 20.09.05	19.07.06 off	
Garages Adj to 24 and 25 Malcolm Court Garages adj. To 1 & 2 Malcolm Court	3377	OH	Sent 20.10.05		
	3378		Sent 20.10.05		
25 Elms Road, Harrow	3412	DT	Sent 30.01.06		
35 Orchard Grove (Enforcement)	3420	GW	Sent 20.03.06	Held in abeyance	
	3428	SC	Sent 02.03.06		
	3429				
3430					
130 Stanmore Hill					
19 & 21 R/O 11-29 Alexandra Avenue	3375	RS	Sent 05.10.05	23.05.06	Cumberland Hotel
Former Pinner Telephone Exchange	3446	RP1	Sent 10.04.06	13.06.06	Planning Conf. Rm
7 Hillview Close	3464	DM	Sent 18.05.06		
Heathfield School (var. of Leg. Agreement).	3466	ADK	Sent 24.05.06	18.07.06 off	

PUBLIC INQUIRIES		LOCAL REF:	OFFICER	STATEMENT DUE/SENT	INQUIRY DATE	LOCATION
23 High Street, Wealdstone	3376	RS	Sent 16.10.05	01.08.06 (1 day)	C.Chamber	
Reabarn House, Northolt Road	3459	DT	Due 07.06.06			
	3460					

APPEALS AWAITING DECISION

WRITTEN REPRESENTATIONS	LOCAL 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	
302-306 Uxbridge Road	3406	RJS	22.12.05(q)	Expired	
79 Pinner Hill Road	3410	SW2	25.01.06	Expired	
Land Adjoining 2 Fairholme Rd	3423	KMS	27.02.06	20.03.06	
36 Elms Road, Harrow	3431	MRE	27.02.06	21.03.06	
31 Elms Road, Harrow	3441	TEM	14.03.06	14.04.06	
239 Portland Crescent, Stanmore	3433	MRE	15.03.06	15.04.06	
46 Repton Road (Enforcement)	3437	DMC	20.03.06	11.04.06	
86 Eastcote Lane, Harrow	3436	SW2	20.03.06	10.04.06	
83 Drury Road, Harrow	3435	RM2	31.03.06	21.04.06	23.05.06 @ 16:30
103 Dale Avenue, Edgware	3438	AB3	11.04.06	09.05.06	
103 Dale Avenue, Edgware	3439				
63 Bonnersfield Avenue, Harrow	3442	SW2	30.03.06	24.04.06	24.05.06 @ 11:15
18 Alfriston Avenue, Harrow	3443	SW2	31.03.06	24.04.06	
Oakhurst Heights, 14A Mount Park Road	3444	KMS	04.04.06	27.04.06	24.05.06 @ 09:45
Corner of Kenton Lane/Mountside,	3445	SC2	06.04.06	28.04.06	
Bradenham Works, 100 Bradenham Rd	3447	TEM?	04.04.06	01.05.06	
254 Cannon Lane, Pinner	3448	PDB	28.03.06	08.05.06	

22 Moss Close, Pinner	3449	RM2	25.04.06	16.05.06	16.06.06 @ 12.45
45-51 Southfield Park, North Harrow	3451	DT2	03.05.06	24.05.06	
17 Jellicoe Gardens, Stanmore	3450	ML1	04.05.06	25.05.06	
11 Parkfield Gardens	3453	SW2	09.05.06	30.05.06	
Land R/O Carrington Square	3455	SC2	10.05.06	31.05.06	
48 Evelyn Drive, Stanmore	3456	OH	16.05.06	06.06.06	
27 Cuckoo Hill Drive	3457	SW2	22.05.06	12.06.06	

HEARINGS		LOCAL REF:	OFFICER	STATEMENT DUE/SENT	HEARING DATE	LOCATION
Sunningdale, London Road, Harrow on the Hill		3318	RS	Sent 07.04.05	16.05.06	Planning Conf. Rm

PUBLIC INQUIRIES		LOCAL REF:	OFFICER	STATEMENT DUE/SENT	INQUIRY DATE	LOCATION
50-54 Northolt Rd		3424	RS	Sent 24.02.06	09.05.06 (1 day)	Cumberland Hotel
		3425				

DECISIONS (since 01.02.06)

	LOCAL REF:	OFFICER	DECISION	DATE
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
8 Wakehams Hill	3389	PDB	DISMISSED	02.02.06
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
88-92 High Street, Wealdstone	3396	SC	ALLOWED	21.01.06
4 Eastcote Lane	3393	RM2	PART ALLOWED	23.02.06

7 Stroud Gate, Harrow	3400	RM2	ALLOWED	27.02.06
159 Village Way	3392	RM2	DISMISSED	07.03.06
9 Broadfields, Harrow	3403	SW2	DISMISSED	08.03.06
22 Walton Road, Harrow (enforcement)	3452	GDM	INVALID	17.03.06
85 & 87 London Rd	3351	DT	WITHDRAWN	23.03.06
83B Hindes Road, Harrow	3416	PDB	ALLOWED	23.03.06
44 College Hill Road, Harrow Weald	3407	TEM	ALLOWED	24.03.06
The Gardens, r/o Pinner road	3309	TW	DISMISSED	29.03.06
Land R/O 71-83 Canterbury Rd	3413	DT2	ALLOWED	31.03.06
44 Harley Crescent, Harrow	3432	DT2	ALLOWED	31.03.06
1 Butler Avenue	3409	PDB	ALLOWED	04.04.06
Highway Lnd - Sudbury Hill,	3395	SC2	DISMISSED	10.04.05
218 Shaftesbury Avenue	3404	DT2	ALLOWED	10.04.06
258 Torbay Road, Harrow	3405	KMS	DISMISSED	10.04.06
033 Orchard Grove (Enforcement)	3419	GDM	WITHDRAWN	13.04.06
7 West Drive Gardens	3427	TEM	WITHDRAWN	13.04.06
Orchard End, Nugents Park	3402	RM2	DISMISSED	13.04.06
Land r/o 32-38 Greenford Road, Harrow	3418	RP1	DISMISSED	13.04.06
64 Lucas Avenue, Harrow	3417	SW2	DISMISSED	13.04.06
44A Howberry Road, Edgware	3415	RB3	DISMISSED	13.04.06
Katies Kitchen, 4 Forward Drive	3394	TEM	ALLOWED	19.04.06
15 & 15A Parkfield Road	3399	KMS	ALLOWED	19.04.06
2 Ashcroft, Pinner	3401	CM2	ALLOWED	24.04.06
74 Uxbridge Road, Harrow Weald	3408	KMS	ALLOWED	24.04.06
R/O Chester Court, Sheepcote Road	3315	RS	DISMISSED	24.04.06
123 Sylvia Avenue	3314	KMS	ALLOWED	26.04.06
408-410 Uxbridge Road, Hatch End	3426	PDB	DISMISSED	02.05.06
102 High Street (Discontinuance)	3239	FS	DISMISSED	12.05.06
34 Cornwall Road	3422	GW	DISMISSED	02.05.06
8 Langland Crescent	3434	JW	DISMISSED	23.05.06
11 Evelyn Drive, Pinner	3440	OH	DISMISSED	23.05.06

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 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
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 7 June 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Roof alterations without planning permission	LP/MW/PEN13018		-02						26-APR-04	Appeal Dismissed Insp letter dated 20-Jun-03. Owners have offered to do works required, starting in Sept 2004. Site inspected in Sept 04, no works carried out. Planning app P/3293/04/DFU submitted. App refused. Borough Solicitor sent letter before action. Erf Officer to prepare prosecution statement. Erf officer visiting site and preparing further action.
8 KENTON ROAD HARROW	ENF/326/02/EAST	GDM	15-January-03	21-Jan-03 (Legal Contact Officer-CML)	8-Dec-04	14-Jan-05	Hearing 18-Oct-05	9 Months		To be the subject of a report to Committee. Reported to Development Control Committee on 5 November 2003, and subject to committee decision. Planning application submitted for change of use to 5 flats, P/719/04/DFU.
Use of property as 5 self contained flats										
81 Roxeth Hill Harrow on the hill	ENF/24/05/P Appeal 3308	DMC		(Legal Contact Officer-AK)					Compliance date 19/7/06	AB / RD checking when roof was erected. Borough Solicitor preparing notice. Notice prepared. Appeal part allowed.
Erection of roof										The property owner is required to removed roof extension and reinstate the roof to its former condition or build in accordance with planning permission P/93/05/DFU the compliance period has been varied from 3 months to 9 months.
154 Eastcote Lane South Harrow	ENF/317/03/P	GW	17-March-04	23-Mar-04 (Legal Contact Officer-CML)	27-may-04	30-Jun-04		3 Months	01-Oct-04	Appeal received, appeal not valid. Section 78 appeal submitted, awaiting outcome. S78 appeal dismissed, owners asked to provide details of timescale for compliance with notice. Agent looking into how to alter development to comply with notice. Draft prosecution statement prepared.
Single storey rear extension and raised patio										
REGENT HOUSE, 21 CHURCH ROAD, STANMORE.	ENF/442/02/EAST	CJF AND AB	10-July-03	16-Jul-03 (Legal Contact Officer-DG)	13-Jan-05	23-Feb-05	Appeal dismissed.	3 Months	24-May-05 01-Mar-06	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

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

ADDRESS	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Erection of Four Air Con Units on a Listed Building Broomhill Mount Park Road Hoth	ENF/625/03/P	GDM	8-December-04	(Legal Contact Officer-DG)	7-FEB-05	11-MAR-05	Written Representations	3 Months	09-APR-05 09-DEC-05	dismissed. 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	(Legal Contact Officer-AK)	7-APR-05	8-MAY-05	Hearing 18- October-05	3 Months Varied to 6 months at appeal.	9-Aug-05 1-May-06	Draft notice prepared. Opinion on draft enforcement notice being sought from Counsel. Notice served. Appeal submitted. Appeal dismissed, notice varied to allow 6 months for compliance.
Erection of fence on roof 35 Orchard Grove Edgware	ENF/483/04/P	RJP (report)	17-May-05	(Legal Contact Officer-DG)	24-Nov-05	04-Jan-06	Appeal submitted.	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	(Legal Contact Officer-DG)	24-Nov-05	04-Jan-06	Appeal submitted. Appeal withdrawn.	6 Months	5-Jul-06	Section 330 notice served on 6-July-05. Notices were returned unopened. Enforcement Notice issued. Appeal Submitted. Certificate of lawful development granted subject to demolition of single storey rear extension and part single storey side extension. Appeal withdrawn. Memo to Legal to withdraw Enforcement Notice.
61 Oxleay Road Harrow	ENF/425/04/P	DMc	17-May-05	(Legal Contact Officer-CML)	20-Jun-05	14- Nov-05		6 months	15-May-06	Section 330 notice served on 20-June-05. Enf notice issued.
Erection of rear extension and wall 46 Repton Road, Kenton	ENF/565/04/P	DMc	27-July-05	10-Aug-05	27- Oct-05	02- Dec-05	Appeal received	3 months	03-Mar-06	S330 notice served on 25-August-05.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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Unauthorised change of use to a builders yard. 22 Walton Road, Harrow	ENF/530/03/P	RJP (report)	27-July-05	(Legal Contact Officer-CML) 10-Aug-05	17-Octo05	28-Nov-05	Appeal submitted.	3 months	01-Mar-06 28-Jun-06	Appeal fee not paid to the Planning Inspectorate, thus appeal not validated. Planning Inspectorate confirmed in letter dated 27 March 2006. Compliance period runs from that date.
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	(Legal Contact Officer-CML) 23-Mar-04 27-Jul-04 11-Jan-06 (Legal Contact Officer-CML)	10-Feb-06	17-Mar-06	Appeal start date 10-May-2006, Hearing	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. Appeal lodged.
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	(Legal Contact Officer-DG) 28-Nov-05	6-December-05	27-January-06	S78 appeal submitted.	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	(Legal Contact Officer-CL) 28-Nov-05	22-Feb-06	03-Apr-06		3 Months	4 July 2006	Notice served. Appeal submitted.
Unauthorised construction of a single storey rear canopy. 83B Hindes Road, Harrow	ENF/45/05/P	RJP (Report) DMC (Case Officer)	7-December-05	(Legal Contact Officer-DG) 9-December-05	22-Feb-06	30-Mar-06	S78 appeal submitted.	1 Month	01-May-06	Notice served. S78 Appeal allowed by the planning inspector. Enforcement Notice no longer required. To be removed from the property, memo sent to Legal 10 April 2006
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	(Legal Contact Officer-CL) 02-Sept-05	17-Nov-05	21-Dec-05		3 Months	22-Mar-06	S330 notice served on 22-September-05. Notice issued.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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Storage of static caravan. 47 Turner Road, Edgware	ENF/383/03/P	RJP (report)	7- September -05	CML) 16-Sep-05 (Legal Contact Officer-CL)	17-Mar-06	24-April-06		3 Months	24-Jul-06	S330 notice served on the 16- November-05. Enforcement Notice served. Appeal submitted.
Unauthorised construction of a rear conservatory and side extension.										
Prosecutions for unlawful advertisements										

ENFORCEMENT NOTICES AUTHORISED, AWAITING SERVICE

Harrow Hospital 88 Roxeth Hill Harrow		GDM	9- November -04	(Legal Contact Officer- DG)						New report required.
Erection of sales building 613 Kenton Lane, Kenton	ENF/373/05/P ENF/402/05/P	RJP (report)	6-June-05	30-June- 05 (Legal Contact Officer- CML)						S330 notices served on 7 Sept 05 and 11 Oct 05. Draft notice prepared. 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. 1 and 1A Buckingham Road, Harrow	ENF/147/04/P	RJP (report)	7- September -05	16-Sep-05 (Legal Contact Officer- CAM)	10-May- 2006	20-June- 2006		3 Months	20-September- 2006	S330 notice served 30- November-2005.
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)	24-April- 2006	5-June-2006			5-September- 2006	S330 notice served on 17- October-05. Refusal of planning permission appealed against. S78 appeal dismissed on 16-Jan-06.
Unauthorised construction of a front porch. Copse Farm, 2 Brookhill 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										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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16A Whitchurch Lane, Kenton Unauthorised installation of gantry	ENF/502/04/P	D/Mc (Officer) RJP (Report)	7-December-05	9-December-05 (Legal Contact Officer-DG)	24-April-2006	5-June-2006			5-July-2006	Section 330 served on 22 December-05
Hill House, 7 Mount Park Road, Harrow on the Hill Conversion of single family dwelling house and garage into 5 flats	ENF/775/04/P	D/Mc (Officer) RJP (Report)	9-November-05	28-Nov-05 (Legal Contact Officer-CM)	24-April-2006	26-May-2006		3 months	26-August-2006	Section 330 Notice served on 10-January-2006
131 Malvern Avenue, Harrow Unauthorised construction of a front porch	ENF/775/04/P	RJP (report)	7-December-05	9-December-05 CL (Legal Case Officer)						Section 330 Notice served on 10-January-2006 Letter from property owner to advise compliance. Site visit undertaken on 18-April-2006, front porch has been reduced in area but the porch is still over height. Letter to advise compliance required within 14days. Enforcement Officer to monitor. Site visit undertaken 19-May-2006 the front porch has been reduced in both area and height to comply with Class D of the Town and Country Planning (General Permitted Development) Order 1995. No further action is required.
67 Argyle Road, Harrow Unauthorised construction of a raised rear deck and railings	ENF/78/04/P	RJP (report)	7-December-05	9-December-05	6-April-2006	10-May-2006			10-June-2006	S330 Notice served 10-January-2006 Enforcement notice served. Appeal submitted.
108 Waxwell Lane, Pinner Unauthorised construction of a raised rear deck and trellis	ENF/647/04/P	RJP	7-December-05	9-December-05 CL (Legal Contact Officer)						S330 Notice served 10-January-2006
38 Headstone Gardens, Harrow Unauthorised construction of a single storey rear extension	ENF/1006/04/P	RJP (Report) GW (Case Officer)	7-December-05	9-December-05 (Legal Contact Officer)	13-February-2006	17-March-2006	Appeal start date 10-May-2006, Hearing	3 months	17-June-2006	S330 Notice served on 19-December-2005 Appeal lodged.

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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1 Wildcroft Gardens, Edgware Unauthorised construction of gates, walls, railings and pillars	ENF/700/04/P	RJP (Report)	11-January-06	Officer-CL) 23-January-06 (Case Officer-CM)						S330 Notice served on 17 February 2006.
High Barn, Pinner Hill Farm, 160 Pinner Hill Road, Pinner Unauthorised change of use from Class B1 to Class A1	ENF/379/04/P	RJP (Report) DMC (Case officer)	11-January-06	23-January-06 (Case Officer-CM)						S330 notice served 24-April-2006
63 College Road, Harrow Weald Unauthorised construction of a detached garden building in the rear garden	ENF/159/05/P	RJP (Report) GW (Case Officer)	8-February-06	23-Feb-06 06-MAR-06 CL (Legal Case Officer)						S330 notice served 29-Mar-06
47 Roxeth Green Avenue, Harrow Unauthorised construction of a rear extension at the rear of the dwellinghouse	ENF/731/04/P	RJP (Report) RJP (Case Officer)	8-February-06	23-Feb-06 06-Mar-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 06-Mar-06						S330 notice served 6-April-2006
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 (Officer)	08-Feb-06	23-Feb-06 06-Mar-06						
S215 Notice 462 Honeypot Lane, Stanmore Unauthorised construction of a	ENF/619/04/P	RJP (Report) RJP (Report)	15-Mar-06	17-Mar-06 CL (Legal						S330 notice served 6-April-2006

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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single storey rear extension		DMC (Case Officer)		Case Officer						
Land at rear of 540 Uxbridge Road, Hatch End	ENF/352/05/P	AB2 (Case officer)	15-Mar-06	20-Mar-06						S330 notice served 12-April-2006
Unauthorised stationing of a portacabin		RJP (Report)		CL (Legal Case Officer)						
127a and 127b Ruskin Gardens, Harrow	ENF/432/03/P	DMC (Case Officer) RJP (Report)	15-Mar-06	17-Mar-06						S330 notice served 6-April-2006
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.										
Rear of 62-72 Orchard Grove, Harrow	ENF/117/04/P	DMC (Case Officer) RJP (Report)	15-Mar-06	17-Mar-06						
Unauthorised change of use from a service road to a builders yard and the erection of a pole with a CCTV camera				AK (Legal Case Officer)						
190 Whittington Way, Pinner	ENF/94/04/P	RJP (Report)	15-Mar-06	17-Mar-06						
Unauthorised construction of a single storey rear extension				AK (Legal Case Officer)						
31 Northumberland Road, North Harrow.	ENF/425/05/P	FS (Report)	15-Mar-06	17-Mar-06						S330 notice served 9-May-2006
Front and rear extensions		AB (Case Officer)								
7 Sancroft Road, Harrow	ENF/236/04/P	RJP (Report)	11-April-2006	18-April-2006						S330 notice served 9-May-2006
Unauthorised construction of a single storey side to rear and front extension and decking				CL (Legal Case Officer)						
1 Wynlie Gardens, Pinner	ENF/118/05/P	RJP (Report)	11-April-2006	18-April-2006						
Unauthorised change of use of										

ENFORCEMENT NOTICES AWAITING COMPLIANCE 7 June 2006

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outbuilding to single family dwellinghouse 7 Lansdowne Road, Stanmore	ENF/46/04/P	RJP (Report) RJP (Case Officer)	7-June-2006							
Unauthorised single storey rear canopy 32 Rusland Park Road, Harrow	ENF429/04/P	RJP (Report)	7-June-2006							
Unauthorised construction of a two/three storey side to rear, single storey front to side extension and rear dormer 341A Northolt Road, South Harrow	ENF/272/04/P	RJP (Report)	7-June-2006							
Unauthorised construction of a first floor rear extension 65 Langland Crescent, Harrow	ENF/668/03/P	RJP (Report) RJP (case Officer)	7-June-2006							
Unauthorised construction of a rear canopy 71 Bouverie Road, Harrow	ENF/788/04/P	DMc (Report) DMc (Case Officer)	7-June-2006							
Unauthorised side outbuilding forward of the building line abutting the highway										

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Meeting:	Development Control Committee
Date:	7 th June 2006
Subject:	Variation of section 106 Agreement, Clementine Church Hill Hospital, 9 Sudbury Hill, Harrow
Responsible Officers:	Director of Legal Services
Contact Officer:	Abiodun Kolawole
Portfolio Holder:	To be confirmed
Status:	Part 1
Key Decision:	No

Section 1 : Summary

This report seeks an extension of time to complete a variation (the Deed of Variation) to a section 106 Agreement dated 15th December 2000 (the Principal Agreement) relating to land at Clementine Churchhill Hospital, 9 Sudbury Hill, Harrow (the Site).

Decision Required

Extension of time for completion of the Deed of Variation by six months from 7th June 2006.

Reason for Report

The time set down by the Development Control Committee for completion of the Deed of Variation has expired.

Benefits

Completion of the Deed of Variation will give the Council some measure of control over development on the Site.

Cost of Proposals

None. The developer will pay the Council's legal fees.

Risks

None

Implications if recommendations rejected

The Deed of Variation will not be completed and the developer will not have the benefit of a valuable medical facility.

Section 2 : Report

2.1. Brief History

On 9th November 2004, the Development Control Committee (DCC) granted planning permission for retention of a temporary endoscopy unit on the Site for two years, subject to a variation of the Principal Agreement within one year of the date of the DCC resolution.

The Principal Agreement, amongst other things, defined a development envelope around the Site. The endoscopy unit is located outside of the defined development envelope.

The period for completion of the Deed of Variation has expired and the agreement is yet to be completed. The developer, in an e-mail to the Council's legal officers, has explained the reasons for the delay in completing the Deed of Variation within the one year time scale. The email states that the developer intended to submit a full application to re-house the endoscopy unit within the one-year period. The aim was to address previous concerns of the DCC regarding parking and the impact on the Metropolitan Open Land. However, the developer could not submit the full application to the Council within the time scale.

Further more, the solicitor responsible for working on the Deed of Variation on behalf of the developer went on maternity leave.

The developer is currently in pre- application talks with the Council's planning advisory team on a permanent solution to the hospital's requirement for an endoscopy unit, IVF clinic and enhanced pathology department. The developer has submitted plans detailing proposed changes and now awaits a response from the planning advisory team. It is anticipated that a full planning application for planning permission will be submitted to the Council soon.

In the meantime, the developer is anxious to make use of the temporary endoscopy unit and would like to complete the Deed of Variation whilst talks are progressing on the full planning application.

The Council's planning department have confirmed that the planning position has not materially changed since the DCC resolution of 9th November 2004 approving the grant of planning permission for retention of the temporary endoscopy unit.

Accordingly, the DCC is requested to exercise its discretion to extend the time for completion of the Deed of Variation by six months from 7th June 2006.

2.2 Options Considered

None

2.3 Consultation

None

2.4 Financial Implications

This report seeks an extension of time for completion of the Deed of Variation to a section 106 Agreement dated 15th December 2000. There are no financial implications within this report.

2.5 Legal Implications

As contained in the body of the report

2.6 Equalities Impact

None

2.7 Section 17 Crime and Disorder Act 1998 Considerations

None

Section 3 : Supporting Information/Background Documents

- Development Control Committee Report and Resolution dated 9th November 2004
- Email from NAI Fuller Peiser

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Meeting:	Development Control Committee
Date:	Wednesday 7 June 2006
Subject:	Former Cloister Wood Fitness Club
Responsible Officer:	Andy Parsons
Contact Officer:	Frank Stocks
Portfolio Holder:	To be confirmed
Key Decision:	No
Status:	Public

Section 1: Summary

- 1.1 This report updates the Committee in respect of the recently-granted planning permission (**P/1306/05/CFU**) and seeks agreement on the 'overflow' car parking that occurred on Sunday 21 May 2006.
- 1.2 The report also updates Committee in respect of a number of conditions on the planning permission that remain to be addressed.

Decision Required

1. Development Control Committee agree that the overflow parking that occurred on Sunday 21 May 2006 be recorded as the first of the 6 occasions per year that such parking is allowed under the terms of the Section 106 agreement attached to planning permission **P/1306/05/CFU**.
2. Development Control Committee agree the approach adopted by the Officers in advising the applicants about the outstanding planning conditions in planning

permission **P/1306/05/CFU** and the use of the site.

3. The applicants be advised accordingly.

Reason for report

To clarify the position in respect of the use of the site, following the recent completion of the Section 106 agreement and the grant of planning permission **P1306/05/CFU**.

Benefits

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

Cost of Proposals

None at this stage

Risks

The applicants need to take urgent action to regularise the position in respect of the use of the site. Failure to do so will jeopardise the planning permission and in effect leave the use without a valid planning permission

Implications if recommendations rejected

If the Committee does not accept that Sunday 21 May 2006 was the first occasion for overflow parking then there would still remain six possible instances for such parking within the first year.

Section 2: Report

2.1 Brief History

2.1.1 Planning application, reference **P/1306/05/CFU**, was received on 24 May 2005 for:

Change of use: leisure to religious uses (Class D2 to D1) including conversion of garages to caretakers house, increase height of squash / functions building by 1 metre, external alterations, additional car park

- 2.1.2 The application was reported to Development Control Committee on 9 November 2005, following lengthy negotiations on the proposed heads of terms for a Section 106 agreement.
- 2.1.3 In the meantime building works on site had already commenced on, inter alia, the construction of the 1 metre high extension to the former squash / fitness building. The applicants had been advised by Officers that any works undertaken in advance of planning permission were undertaken at their own risk, and Committee was fully aware of this position.
- 2.1.4 The planning application was deferred from the November meeting:
- 1) to enable an independent traffic impact assessment to be commissioned; and
 - 2) for officers to notify a wider area, in respect of which 359 additional addresses were notified and responses reported at the meeting.
- 2.1.5 In respect of 1) Members received a copy of the independent traffic impact assessment which was published in November 2005 and included an appraisal of the application.
- 2.1.6 The traffic impact section of the report to the Committee on 9 November 2005 was expanded in the Officers' report to Committee to discuss the issue in more detail.
- 2.1.7 Development Control Committee on 11 January 2006 resolved to grant planning permission for application **P/754/05/CFU** (*for provision of new gates across entrance in Wood Lane*). This application had been deferred previously for consideration at the same time as the change of use application.
- 2.1.8 At the same meeting Committee also granted planning permission (unanimously) for application **P/1306/05/CFU**, subject to a Section 106 agreement. The addendum to the Officers' report (published prior to the meeting in the usual way) included an additional Informative, advising on the timing of functions or events in relation to neighbouring uses.
- 2.1.9 In resolving to grant planning permission Committee made a number of amendments to the heads of terms of the legal agreement, and the formal decision was minuted as follows:
- (1) the proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to:
 - (i) prior approval by the Local Planning Authority's Development Control Committee and implementation by the occupier of the development of a Travel Plan (to include an annual review) prior to commencement of use.
 - (ii) the occupier of the development shall fund all costs on public consultation, analysis, reporting and implementation of local on-street waiting restrictions, at any time within 5 years of the commencement of the use, if in the Council's opinion, a monitoring period shows unacceptable local on street parking, up to a maximum amount of £20,000 index linked.

- (iii) parking within the site but outside the defined car parks shown on drawing SP/854c shall not be permitted without the prior approval of the Local Planning Authority's Development Control Committee and on no more than 6 occasions per year.
- (2) a formal decision notice, subject to the planning conditions and informatives reported and as amended on the Addendum, will be issued only upon completion by the applicant of the aforementioned legal agreement. For the avoidance of doubt the submission and approval of the Travel Plan must precede the completion of the aforementioned legal agreement.

[Notes:

- (i) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;
- (ii) during discussion on the above application, the Committee agreed amendments to the recommendation set out in the officer's report;
- (iii) the decision to grant the application subject to completion of the legal agreement was unanimous.]

2.1.10 Following the Committee resolution negotiations on the agreement continued.

2.1.11 On 15 March 2006 Development Control Committee agreed the applicants' revised Travel Plan, following consideration of an Officers' report.

2.1.12 Officers became aware in early May that the applicants were planning to hold a ceremony at the end of May or early June involving moving of the idols from their temple in Buckingham Road, Edgware to the Wood Lane site. This was alleged to involve the attendance of a substantial number of devotees from all over the country.

2.1.13 A press release from the Harrow Times on 16 May subsequently confirmed that the ceremony, commencing with a procession, was to be held on Sunday 22 May and that celebrations were to continue through the following week.

2.1.14 Officers dispatched a letter on Thursday 18 May to the applicant's representative, Mr Varsani, advising him of the legal position:

- the legal agreement was not yet completed and signed,
- planning permission had obviously not been issued,
- when the permission was issued it would include a number of conditions that required submission and agreement of details before any use commenced, and
- any use that commenced in this context would be in breach of planning control.

2.1.15 Meanwhile, on the same evening of 18 May 2006 the Mayor signed the Section 106 agreement. This then allowed the issue of the planning permission on 19 May.

2.2 Planning Considerations – Car Parking Outside of Defined Areas

2.2.1 The Section 106 agreement includes a third head of term:

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

- 2.2.2 The ceremony held on Sunday 21 May 2006 involved the attendance of thousands of devotees and the Officers' view is that this is likely to be a one-off event. Nevertheless, the event did involve the parking of vehicles outside of the three defined car parking areas. In particular this involved the use of the field adjacent to the third car park (car park 3) as an overflow parking area. Evidence of this was seen when Officers visited the site on Monday afternoon.
- 2.2.3 Although no prior agreement was sought this was obviously somewhat difficult as the legal agreement was not signed until 18 May, nor the subsequent planning permission issued until 19 May. In these circumstances Officers consider it reasonable that this event should nevertheless be recorded as the first of the six possible occasions (in any one year) referred to in the agreement.
- 2.2.4 Committee is therefore asked in Recommendation 1 to endorse this view so that Officers can advise the applicants accordingly.
- 2.3 Planning Considerations – Non-Compliance with Conditions Imposed on Planning Permission P/1306/05/CFU
- 2.3.1 The Planning permission included five 'conditions precedent'. These are conditions that require the submission and agreement by the Local Planning Authority of certain details before, for example, the start of the development or the commencement of the use. The five conditions precedent are:
3. The use hereby permitted shall not be commenced until all the works detailed in the application have been completed in accordance with the permission granted, unless otherwise agreed in writing by the local planning authority.
REASON: To ensure a satisfactory form of development.
 4. The development hereby permitted shall not commence until details indicating adequate access to, and egress from, the building(s) have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.
REASON: To ensure that the development will be accessible to people with disabilities.
 5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.
 6. The uses hereby permitted shall not commence until the car parking, turning and loading area(s) show on the approved plans have been constructed and surfaced with impervious materials, and drained in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces shall be permanently marked out (with the exception of car park 3) and used for no other purpose, at any time, without the written permission of the local planning authority.
REASON: To ensure the satisfactory provision of parking areas, to safeguard the appearance of the locality and in the interests of highway safety.
 7. Details of fencing around car park 3 shall be submitted to and approved by the Local Planning Authority, and implemented in accordance with the approved details before commencement of the uses hereby approved. The fencing shall be retained thereafter unless agreed beforehand in writing by the Local Planning Authority.

REASON: To prevent the provision of parking outside the defined parking area, and to protect the characters of the Green Belt, Little Common Conservation Area, Area of Special Character and the setting of adjacent Listed Buildings.

- 2.3.2 Each of these conditions requires that details be submitted before the uses commence.
- 2.3.3 The Officers' view is that it is clear from the activities during the week commencing Sunday 21 May that the use has commenced.
- 2.3.4 The Officers also confirm that no formal details have been submitted to address the requirements of the five conditions. Obviously this could only have been done since the issue of the decision notice on 19 May, and would have been impractical before the start of the ceremony on 21 May.
- 2.3.5 The position in law is that applicants will be in breach of planning permission if they start development without complying with a condition requiring them to do something before they start - for example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- 2.3.6 Development Control Committee has already accepted that the building works were commenced many months ago and have proceeded throughout the period. Technically, therefore, there is already a breach of planning control.
- 2.3.7 The issue of non-compliance with planning conditions complicates that position. Case law over recent years confirms that beginning development in breach of a planning condition will invalidate a planning permission, in effect removing the permission. The applicants are therefore not now able to remedy this situation by simply submitting the required details because the date has effectively past (i.e. the commencement of the use).
- 2.3.8 That said, there is a remedy for the applicants to resolve this problem, namely by seeking to regularise the situation by submitting a new planning application, under Section 73 of the Town & Country Planning Act 1990, to vary the 5 conditions. Such an application would involve submission of all the outstanding details, and seeking agreement for a timeframe in which to implement them.
- 2.3.9 An application to regularise the situation under Section 73 could technically be submitted at any time within the five year life of the planning permission. However, in the circumstances of this use it is clearly in everyone's interests to secure such an application as a matter of urgency.
- 2.3.10 Committee is therefore asked in Recommendation 2 to endorse the Officers' approach in urging the speedy submission of a Section 73 application in order that these matters can be resolved.

2.4 Consultation

2.4.1 None

2.5 Financial Implications

2.5.1 None at this stage.

2.6 Legal Implications

2.6.1 Contained in the body of the report.

2.7 Equalities Impact

2.7.1 None

2.8 Section 17 Crime and Disorder Act 1998 Considerations

2.8.1 None

Section 3: Supporting Information/Background Documents

Background Documents:

Planning permission P/1306/05/CFU

Planning permission P/754/05/CFU

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Meeting:	Development Control Committee
Date:	Wednesday 7 June 2006
Subject:	7 Lansdowne Road, Stanmore
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Rebecca Phillips
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a single storey rear canopy at 7 Lansdowne Road, Stanmore, and seeks authority to initiate enforcement action for the removal of the single storey rear canopy.

The rear canopy, by reason of its size, design and siting, is obtrusive and unneighbourly in relation to adjacent residential properties, giving rise to losses of outlook and amenity, and is detrimental to the appearance and character of the area.

The development is contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004 and Section C *Rear Extensions* C1, C2, C5 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 single storey rear canopy.

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

(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 Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

(ii) comply with the Enforcement Notice

Reason for report

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

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

2.0 LBH/33296 – Single storey front and rear, first floor side extension, granted 04-09-1987

EAST/399/97/FUL – Side and rear dormer windows, refused 16-06-1997

P/46/06/DCO – Retention of rear canopy, refused 02-03-2006

Reasons for refusal: The canopy, by reason of its size, design and siting, is obtrusive and unneighbourly in relation to adjacent residential properties giving rise to losses of outlook and amenity, and is detrimental to the appearance and character of the area.

Background Information and Options Considered

2.1 The property is located on the northern side of Lansdowne Road and comprises a detached dwellinghouse and garage. The property has been previously extended at the rear of the dwellinghouse prior to the construction of the single storey rear canopy. The adjacent property no.5 Lansdowne Road has no previous extensions while no.9 Lansdowne Road has a single storey rear extension (conservatory).

2.2 The following policies of the Harrow Council Unitary Development Plan 2004 are applicable:

-Policy D4 *The Standard of Design and Layout*.

-Policy D5 *New Residential Development – Amenity Space and Privacy*.

-These policies are reinforced in the more general Policy, SD1 *Quality of Design*.

2.3 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.

C5 Where a greater depth is acceptable the additional element should be set away from the boundary with an attached dwelling by twice the amount

of additional depth – the “two for one” rule. Chamfering of extensions is not normally acceptable. An exception would be where a purpose-built conservatory is proposed.

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.

- 2.4 The property owners constructed, a canopy made of wooden pillars with a translucent roof over. The site had an existing single and 2 storey extension to the rear from the original rear wall of the house with a depth of 3.3m. The canopy projects a further 3.9m deep from the extended rear wall of the dwellinghouse. The canopy spans the whole width of the house and has a flat roof with a maximum height of 2.56m. The canopy projects above the side fence, extends over 6m beyond the rear wall of no.5, and runs adjacent to an open area at no.9 Lansdowne Road.
- 2.5 The structure is light and the sides are open, however the projection of the canopy is contrary to the Council’s supplementary planning guidance as listed above for single storey rearward projections, adjacent to boundaries. The additional element does not respect the character and size of the houses or development within the locality and increases the rear projection to an unacceptable degree. It is not considered that the additional extension complements its surroundings and does not have a satisfactory relationship with adjoining buildings. It is not considered that the extension has regard to the scale and character of the surrounding environment.
- 2.6 The canopy does not constitute permitted development in accordance with Class A (a) (ii) of the Town and Country Planning (General Permitted Development) Order 1995. Planning permission for the retention of the rear canopy has been refused.

The alleged breach of planning control

- 2.7 Without planning permission, the construction of a single storey rear canopy.

Reasons for issuing the notice

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

The rear canopy, by reason of its size, design and siting, is obtrusive and unneighbourly in relation to adjacent residential properties giving rise to losses of outlook and amenity, and is detrimental to the appearance and character of the area, contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004, and Section C *Rear Extensions*

C1, C2, C5 and C7 Supplementary Planning Guidance “Extensions, A Householders Guide”.

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

Consultation

- 2.10 -Ward Councillors copied for information
-Director of Legal Services
-Director of Financial Services

Financial Implications

- 2.11 None.

Legal Implications

- 2.12 As contained in the report.

Equalities Impact

- 2.13 None.

Section 17 Crime and Disorder Act 1998 Considerations

- 2.14 None

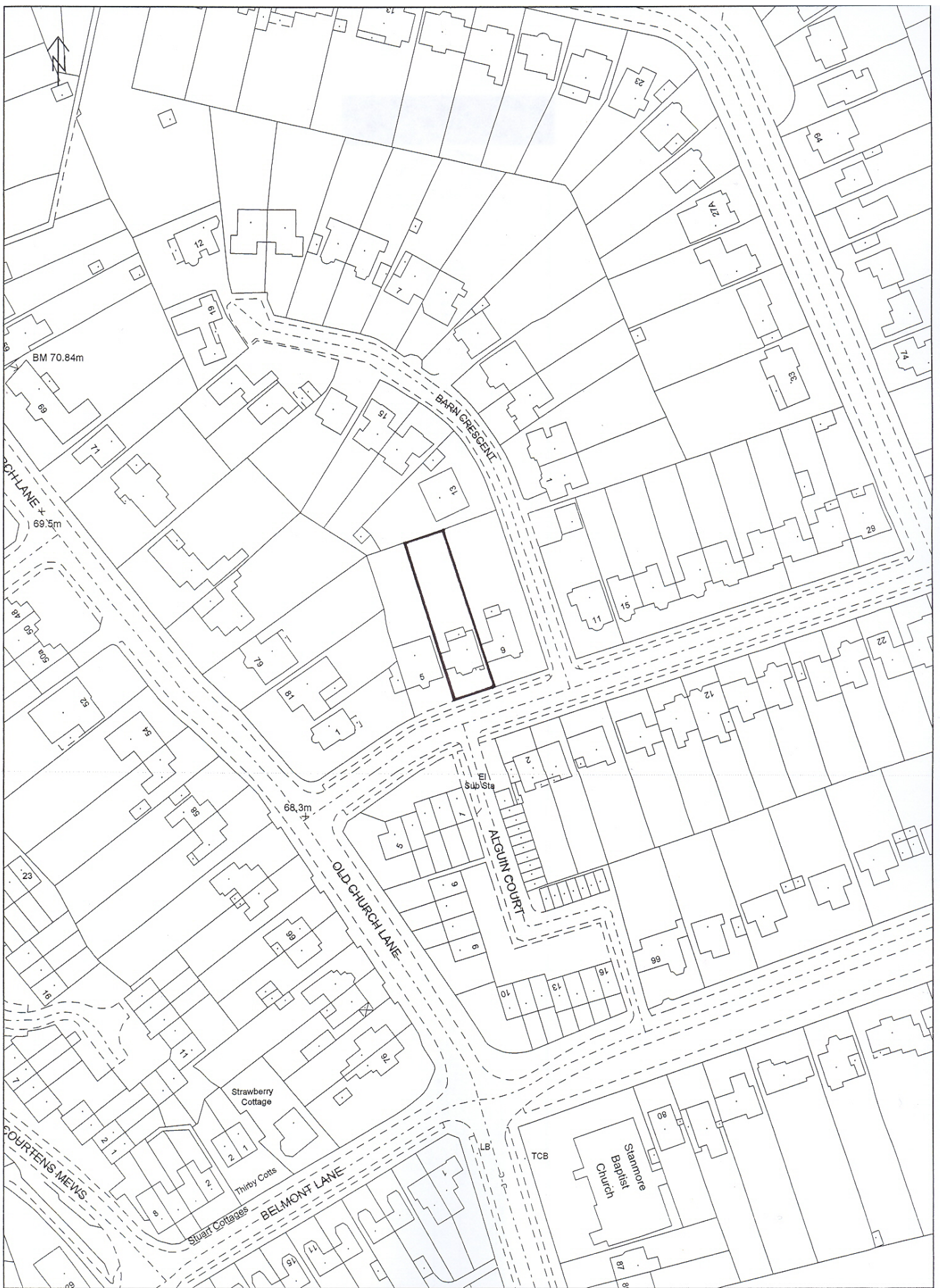
Section 3: Supporting Information/ Background Documents

LBH/33296 – Single storey front and rear, first floor side extension, granted 04-09-1987

EAST/399/97/FUL – Side and rear dormer windows, refused 16-06-1997

P/46/06/DCO – Retention of rear canopy, refused 02-03-2006

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Meeting:	Development Control Committee
Date:	Wednesday 7 June 2006
Subject:	32 Rusland Park Road, Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Rebecca Phillips
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a two/ three storey side to rear, single storey front to side and rear extensions and rear dormer at 32 Rusland Park Road, Harrow, and seeks authority to initiate enforcement action for the removal of the two/ three storey side to rear, single storey front to side and rear dormer extension.

The rear dormer roof extension, by reason of its excessive size and bulk, is unduly obtrusive and overbearing, detracting from the appearance of the property and adjacent properties to the detriment of the residential amenities of neighbouring properties.

The two/ three storey side to rear extension, incorporating a hip to gable roof extension, by reason of excessive bulk, prominent siting, rearward projection and unsatisfactory design is unduly obtrusive, resulting in a loss of light and overshadowing, to the detriment of the visual and residential amenities of the occupiers of the adjacent properties, detrimental to the street scene.

The development is contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004. It is recommended that an enforcement notice be served.

The single storey front and rear extensions require planning permission but comply with the criteria of the Harrow Council Supplementary Planning Guidance 'Extensions a Householders Guide' March 2003. However, should the side to

rear extension be removed the remaining front to side extension would appear out of character with its surroundings. As such, any Enforcement Notice requiring the removal of the side to rear extension should also require the removal of the front to side extension.

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 two/ three storey side to rear extension.
 - (ii) The demolition of the hip to gable roof extension.
 - (iii) The demolition of the front to side single storey extension
 - (iv) The demolition of the rear dormer roof extension.
 - (v) The permanent removal from the land of the materials arising from compliance with the requirements in (b) (i), (ii), (iii), and (iv) above.
- (c) [(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:
 - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;and/or
 - (ii) comply with the Enforcement Notice

Reason for report

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

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

2.1 P/326/03/DFU – Two storey side to rear, single storey front extension and single storey rear extension, granted 23-7-2003

P/2937/05/DCO – Retention of 2/3 storey side to rear, single storey front side and rear extensions, rear dormer, refused 30-1-2006

Reason for refusal: The extensions at roof level, by reason of excessive size and bulk, are unduly obtrusive and overbearing, detract from the appearance of the property and adjacent properties and is detrimental to the amenities of neighbouring properties.

The side to rear extension, by reason of its excessive bulk, rearward projection and unsatisfactory design, is unduly obtrusive in the streetscene, resulting in a loss of light and overshadowing, and is detrimental to the visual and residential amenities of the occupiers of neighbouring properties.

Background Information and Options Considered

2.2 The property is located on the eastern side of Rusland Park Road and comprises a semi detached dwellinghouse with outhouse at the rear of the garden. In July 2003 Council granted planning permission for the construction of a two storey side to rear, single storey front extension and single storey rear extension. The property owner built outside the bounds of the approved planning permission and as a result a subsequent planning application was submitted, and refused, for the retention of the two/ three store side to rear, single storey front side and rear extensions and rear dormer. The adjoining dwelling at number 30 Rusland Park Road has been extended extensively while the adjoining dwelling at number 34 has had a garage extension.

2.3 The following policies are applicable:

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

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

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

-Section 2 - Design principles and elements

2.1, 2.2, 2.3 and 2.6 of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A Householders Guide March 2003*

-Section 3 – Amenity considerations

3.2, 3.4 and 3.12 of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A Householders Guide March 2003*

-Section 4 – Detailed guidelines

B1, B2, B8, C9, D3, D4, D5 and D6 of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A Householders Guide March 2003*

2.4 The two/ three storey side to rear extension is attached to the dwellinghouses northern flank, to a width of 2.2 metres to abut the boundary with number 34 Rusland Park Road. The roof over the extension is to the full ridge height of the main roof and its end has been gabled. Both of the features are considered unacceptable, increasing the bulk and size of the property to the detriment of the character of the street scene. The original dwellinghouse had a hipped roof, which is typical of the character of the area. The two to three storey extension along the flank wall of the dwellinghouse is accompanied by what is effectively an infill hip to gable roof extension to the original roof. The resulting development is considered unduly bulky, is out of proportion, and thereby not subordinate to the original dwellinghouse, and encourages a terracing effect. The extension runs from the extended roof ridge height with a flat roof to project 3.4 metres beyond the rear of the dwelling, forming a third floor at the rear of the dwelling.

The design and bulk of the extension is considered to be contrary to all of the above stated policies. The addition of a third floor is inconsistent with the character of the surrounding area and is visually obtrusive, overbearing and at the depth to which it projects the extension conflicts significantly with the 45 degree guideline in relation the adjacent dwelling at number 34 Rusland Park Road, causing an unacceptable level of overshadowing on its rear as well as undue impact on the amenity and enjoyment of the adjoining property.

2.5 The rear dormer almost fills the entire rear roof slope. It is attached to the flank of the 3 storey extension and has no set back from the roof eaves. It is considered that the dormer is not a subordinate feature in the roof and

is of excessive size and bulk and is obtrusive and overbearing. The SPG notes that the roof form of a house is a significant part of the character of an area. Any alterations may significantly alter the appearance of a house and their effect on the roof form needs careful consideration. Roof alterations and dormer windows need to complement the original street character and not dominate buildings or impair their proportions or character. It is considered that the dormer as built detracts from the appearance of the area and is detrimental not only to the street character but to the residential amenities of neighbouring properties.

- 2.6 Whilst the single storey rear extension requires planning permission it complies with the criteria set out in the SPG. The single storey rear extension has been constructed to the same depth as that of the 3 storey rear element 3.4 metres. The adjoining dwelling at number 30 has extended extensively at the rear to an overall depth of approximately 5.5 metres on the boundary with the applicants property. It is hence considered that the applicant's extension, with a pitched roof over to a mid-point height of 3.3 metres, would not impose any undue impact on the amenity of this adjoining dwelling. In such circumstances planning policy guidance note 18, enforcement advises while it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, and enforcement notice should not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought.
- 2.7 The single storey front extension also requires planning permission but like the rear extension it complies with the criteria of the SPG. However, it will be out of keeping with the dwelling and street scene if the two/ three storey side to rear extension is removed.
- 2.8 The unauthorised development is of an unsatisfactory design, it is excessive in size and bulk, obtrusive, overbearing and detracts from the appearance of the property, to the detriment of the residential amenities of the occupiers of neighbouring properties and is detrimental to the character of the street scene, contrary to Policies SD1, D4, D5 of the Harrow Council Unitary Development Plan 2004.

The alleged breach of planning control

- 2.9 Without planning permission, the 2/3 storey side to rear, single storey front side and rear dormer extensions.

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 rear dormer roof extension, by reason of its excessive size and bulk, is unduly obtrusive and overbearing, detracting from the appearance of the property to the detriment of the residential amenities of the occupiers of neighbouring properties and is detrimental to the character of the street

scene. The development is contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

3.2 The two/ three storey side to rear and front extension, incorporating a hip to gable roof extension by reason of excessive bulk, prominent siting, rearward projection and unsatisfactory design are unduly obtrusive, resulting in a loss of light and overshadowing to the detriment of the amenities of the occupiers of the adjacent properties detrimental to the street scene. Contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

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

Consultation

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

Financial Implications

3.5 None.

Legal Implications

3.6 As contained in the report.

Equalities Impact

3.7 None.

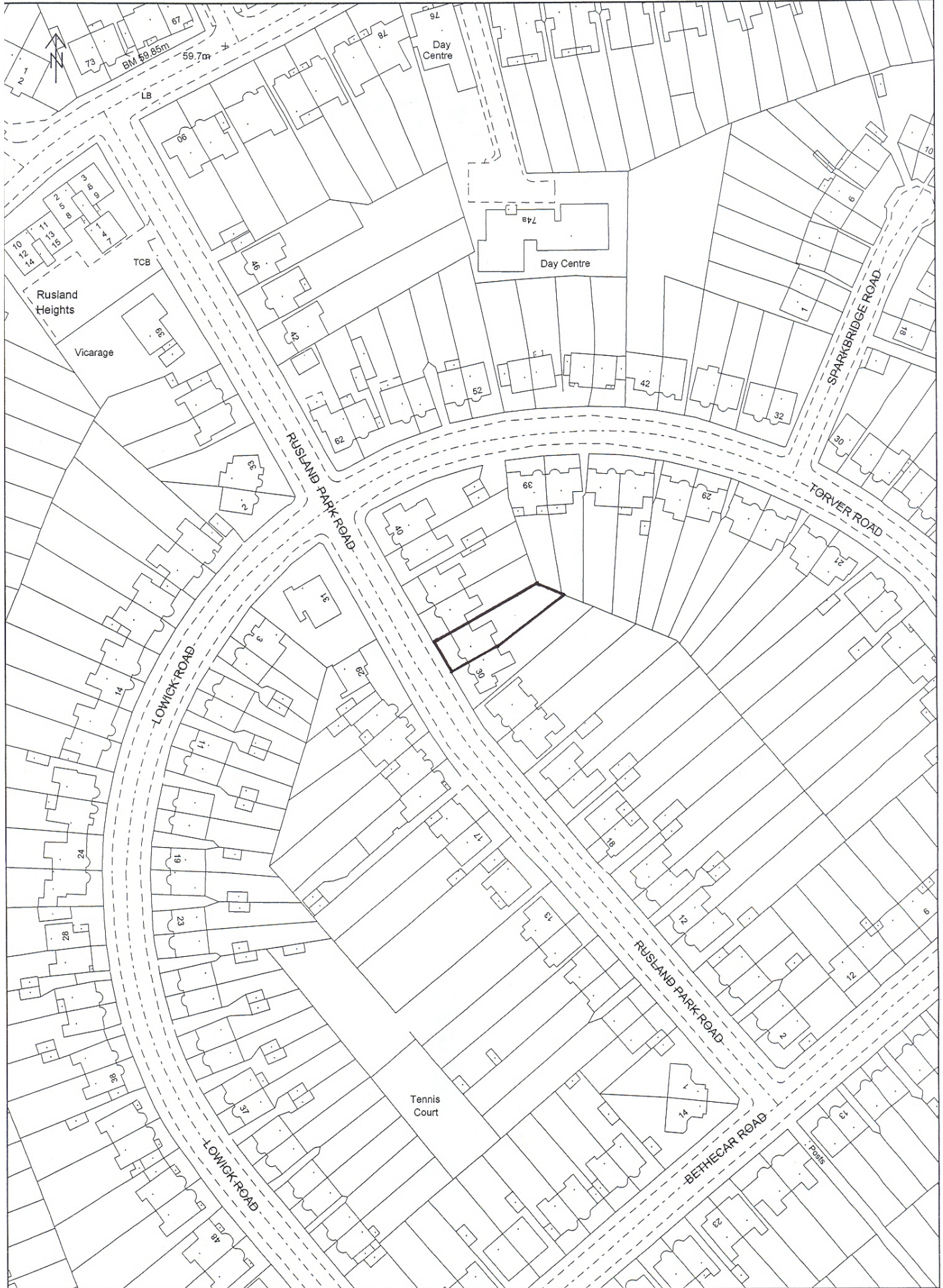
Section 17 Crime and Disorder Act 1998 Considerations

3.8 None

Section 4: Supporting Information/ Background Documents

P/326/03/DFU – Two storey side to rear, single storey front extension and single storey rear extension, granted 23-7-2003

P/2937/05/DCO – Retention of 2/3 storey side to rear, single storey front side and rear extensions, rear dormer, refused 30-1-2006



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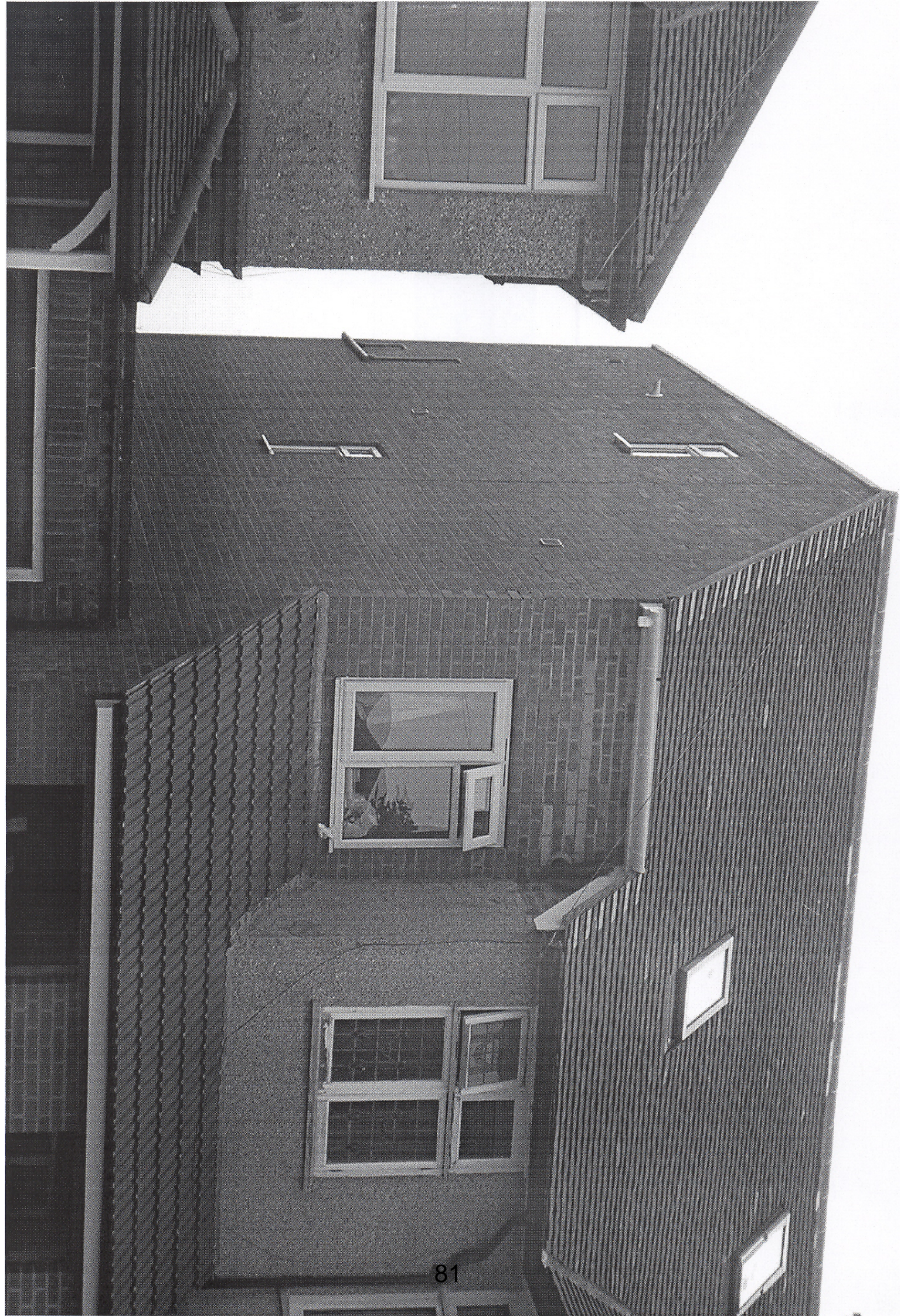
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Meeting:	Development Control Committee
Date:	Wednesday 7 June 2006
Subject:	341A Northolt Road, South Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Rebecca Phillips
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a first floor rear extension at 341A Northolt Road, South Harrow, and seeks authority to initiate enforcement action for its removal.

The first floor rear extension, by reason of excessive bulk and prominent siting, is unduly obtrusive in the street scene, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, and the character of the locality.

The development is contrary to policies SD1, D4, D6 of the Harrow Council Unitary Development Plan 2004. It is recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
- (b) (i) The demolition of the first floor rear wooden extension.
- (ii) The permanent removal from the land of the materials arising from

compliance with the requirements in (b) (i) above.

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

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

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

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

and/or

(ii) comply with the Enforcement Notice

Reason for report

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

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.0 P/2354/05/DFU – 3m brick wall, external metal stairs and alterations to first floor flat at rear, refused 28-10-2005

Background Information and Options Considered

- 2.1 The property is situated on the eastern side of Northolt Road and is located in a run of similar properties with commercial uses on the ground floor, and flats above. The area is a utilitarian service area which influences the character of the surrounding properties which predominantly comprise brick buildings. Such properties do not benefit from residential permitted development rights. In stark contrast the development comprises a wooden canopy structure, partly covered on one side with ply board.

- 2.2 The following policies of the Harrow Council Unitary Development Plan 2004 are applicable:

-Policy D4 *The Standard of Design and Layout*

-Policy D6 *Design in Employment Areas*

-This policy is reinforced in the more general Policy, SD1 *Quality of Design*

- 2.3 Policy D4 of the Harrow Council Unitary Development Plan 2004 (UDP) states that the Council expects a high standard of design and layout in all development and when considering a development the Council will take into account a number of factors including the site and setting, layout, access, movement and the adequate storage of refuse. The first floor rear extension is 5m x 2.85m wide x 2.76m high with a total volume of 39.33m³, covering the whole of the extended ground floor roof area. The area is a utilitarian service area, and although the development does not affect the layout, access, and storage of refuse it is considered that the development is unsightly, obtrusive and out of keeping in this setting.

The UDP states that new development should contribute to the creation of a positive identity for the area through the quality of building layout and design, and take into account the character and landscape of the locality within which it is built. As stated above the property is located within a run of similar properties with commercial uses on the ground floor, and flats above. The surrounding properties are predominantly occupied with brick buildings. In stark contrast the development comprises a wooden ply board canopy structure conflicting with the character/ design of surrounding buildings in the area.

The UDP notes that much of the Borough's attraction lies in the consistent quality of the design and layout of its buildings and public space. The wooden rear extension conflicts with the predominant type of development

in the area it does not comply with Harrow Council's aim of achieving a high standard of design which has regard to the particular characteristics of the site and its integration with the surrounding area.

- 2.4 Policy D6 states that all development in employment areas should be built to a high standard of design, and should not have an adverse impact on the surrounding environment or infrastructure. When seen from the surrounding area, employment development should have a clear design treatment of its boundary, clear and defined entrances, and a skyline and roofscape appropriate to the area. As constructed the rear extension does not positively contribute visually to the surrounding environment, impacting upon the residential amenities of the occupiers of the adjacent properties and the character of the locality, contrary to Policy D6.
- 2.5 The first floor rear wooden extension does not benefit from permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995. Any external alterations to commercial premises require planning permission. Planning permission for the retention of the first floor wooden extension has been sought.

The alleged breach of planning control

- 2.6 Without planning permission, the construction of first floor rear extension.

Reasons for issuing the notice

- 2.7 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 2.8 The first floor rear extension, by reason of excessive bulk and prominent siting, is unduly obtrusive in the street scene, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, and the character of the locality, the development is contrary to policies SD1, D4 and D6 of the Harrow Council Unitary Development Plan 2004.
- 2.9 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

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

Financial Implications

- 2.11 None.

Legal Implications

2.12 As contained in the report.

Equalities Impact

2.13 None.

Section 17 Crime and Disorder Act 1998 Considerations

2.14 None

Section 3: Supporting Information/ Background Documents

P/2354/05/DFU – 3m brick wall, external metal stairs and alterations to first floor flat at rear, refused 28-10-2005

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Meeting:	Development Control Committee
Date:	7 June 2006
Subject:	65 Langland Crescent, Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Rebecca Phillips
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to unauthorised construction of a rear canopy at 65 Langland Crescent, Harrow, and seeks authority to initiate enforcement action.

The timber canopied structure, by reason of its excessive depth, design and materials is considered to be unduly obtrusive, overbearing and results in unreasonable overshadowing, causing detriment to the amenity of neighbouring occupiers and the character of the locality. The development is contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan.

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 timber canopy structure.
 - (ii) The permanent removal from the land of the materials arising from compliance with the first requirement (b) (i) above.
- (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 enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.0 -EAST/88/02/FUL – Single storey front side and rear extension, granted 20-2-2002
-EAST/1187/02/FUL – Single storey front, side and rear extension (revised), granted 6-11-2002
-P/2943/03/DCO – Retention of canopy at rear, refused 15-3-2004
-P/2327/05/DFU - Invalid

Background Information and Options Considered

2.1 The property is located on the eastern side of Langland Crescent. The site contains a two-storey semi detached dwellinghouse. The property has been previously extended under planning permission reference EAST/1187/02/FUL. The extension includes a single storey front, side and rear extension. The unauthorised rear canopy extension is located to the rear of the authorised single storey rear extension. The property contains a utilities building located 1.6m to the rear of the dwellinghouse and an outbuilding in the rear of the garden located further than 5m from the rear wall of the utilities building.

2.2 The following policy of the Harrow Council Unitary Development Plan 2004 are applicable:

Policy D4 *The Standard of Design and Layout*

Policy D5 *New Residential Development – Amenity Space and Privacy*

These policies are reinforced in the more general policies SD1 *Quality of Design*

2.3 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.

C5 Where a greater depth is acceptable the additional element should be set away from the boundary with an attached dwelling by twice the amount of additional depth – the “two for one” rule. Chamfering of extensions is not normally acceptable. An exception would be where a purpose-built conservatory is proposed.

- 2.4 The property owners constructed, without planning permission, a canopy made of wooden pillars partly covered with a translucent polycarbonate roof over. The use of these materials are deemed to be visually inappropriate in this residential locality. The site has an existing single storey front, side and rear extension which projects 3.6m in depth from the original wall of the dwellinghouse. The canopy projects a further 4.6m from the rear of the single storey rear extension, bringing the total rearward projection to 8.2m out from the original wall of the dwellinghouse. The canopy spans 8m in width but shortens to a width of 5m abutting the utilities building which is located 1.6m to the rear of the dwellinghouse. The canopy has a maximum height of 2.7m lowering to 2.5m.
- 2.5 As stated above the canopy projects 4.6m rearward from the dwellinghouse, combined with the existing lawful extension the total rearward projection is 8.2m which is more than twice the depth recommended by the Council's Supplementary Guidance. The neighbours at no67 have not previously extended their property, the significant depth acts to enclose the area of rear garden directly adjacent to the no.67 rear main wall to an unacceptable level, causing sever loss of light to the nearest window to this boundary on the ground floor level serving a dining room and resulting in a overbearing impact on the adjoining property. Adjacent neighbours at no.63 suffer significantly less impact due to the existence of a rear garage on this boundary. In the space between the dwellings rear wall and the rear garage there is a single storey rear extension. However, the applicant's overdevelopment of the site can be viewed from this neighbours rear amenity and is therefore considered to adversely impact upon the visual appearance of this neighbour's amenity. Due to the construction of the rear canopy the property's garden depth has been reduced to approximately 12m. This has been further reduced by the construction of an outbuilding in the rear garden. This is considered to be inadequate for a dwelling of this type.
- 2.6 It is considered that the rear canopy represents overdevelopment of the property resulting in deprivation to the amenity of neighbouring properties. It is also considered that the development detracts from the character of the surrounding area, contrary to Policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.
- 2.7 The canopy does not constitute permitted development in accordance with Class A (a) (ii) of the Town and Country Planning (General Permitted Development) Order 1995. Planning permission for the retention of the rear canopy has been refused.

The alleged breach of planning control

- 2.5 Without planning permission, the construction of a rear timber canopy.

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 timber canopied structure, by reason of its excessive depth, design and materials is considered to be unduly obtrusive, overbearing and results in unreasonable overshadowing, causing detriment to the amenity of occupiers of neighbouring properties and the character of the locality. The development is contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.
- 2.8 The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.

Consultation

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

Financial Implications

- 2.10 None.

Legal Implications

- 2.11 As contained in the report.

Equalities Impact

- 2.12 None.

Section 17 Crime and Disorder Act 1998 Considerations

- 2.13 None.

Section 3: Supporting Information/ Background Documents

- EAST/88/02/FUL – Single storey front side and rear extension, granted 20-2-2002
- EAST/1187/02/FUL – Single storey front, side and rear extension (revised), granted 6-11-2002
- P/2943/03/DCO – Retention of canopy at rear, refused 15-3-2004
- P/2327/05/DFU - Invalid

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Meeting:	Development Control Committee
Date:	7 th June 2006
Subject:	71 Bouverie Road, Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	David McPherson
Portfolio Holder:	To be confirmed
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

Section 1: Summary

This report relates to the unauthorised construction of a detached garden building at 71 Bouverie Road, Harrow, and seeks authority to initiate enforcement action for its removal.

The property is located in a residential area with the garden building positioned in a prominent position on the elbow corner of Bouverie Road. The unauthorised garden building is situated to the side of the house, forward of the dwellinghouse building line therefore it does not constitute permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995. The garden building's prominent location is also forward of the building line of the adjacent property on the west. By reason of its sitting, height and design has a discordant, obtrusive appearance, and when viewed from the street scene is detrimental to the visual amenity of the locality, contrary to policies SD1 and D4 of the *Harrow Council Unitary Development Plan 2004* and Detailed Guidelines, Front Extensions: A.1, A.2 and Corner Sites: B.15 of the *Extensions: A Householders Guide, Supplementary Planning Guidance*. It is recommended that an enforcement notice be served.

Decision Required

Recommended (for decision by the Development Control Committee)

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
 - (b) (i) The demolition of the detached garden building.
 - (ii) The permanent removal from the land of the materials arising from compliance with the requirement in (b) (i) above.
- (c) [(b)] (i) and (ii) should be complied with within a period of one (1) month from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
 - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;and/or
 - (ii) comply with the Enforcement Notice

Reason for report

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

Benefits

To protect and enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

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

Section 2: Report

Brief History, Policy Context (including Previous Decisions)

- 2.0 - LBH/9116 - Demolish existing garage to erect 2-storey side extension, new front entrance porch and detached domestic garage at side; granted 30-08-1973. Not Implemented
- P/481/04/DFU – Two-storey side, single-storey front extension (revised); granted 13-04-2004. Implemented
- ENF/788/04/P – Construction of new garden building.

Background Information and Options Considered

- 2.1 The property is located on the inside of a corner in Bouverie Road, where the road runs opposite the railway line. The property comprises one of a pair of semi-detached dwellinghouses with a two-storey side and single-storey front extensions.

Being a corner property, the dwellinghouse has a substantial side garden that abuts Bouverie Road on both its front and side boundaries. The detached garden building is prominently located in the front corner of the side garden. The boundary wall is approximately 2.8 metres high, rendered in a white colour and approximately 7.75 metres long, wrapping around the inside bend in Bouverie Road. The garden building projects 2.7 metres forward of the dwellinghouse building line and is 2.5 metres forward of the front building line of adjacent property, 69 Bouverie Road.

- 2.2 The Development is contrary to the following relevant policies:

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

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

-Section 4 – Detailed Guidelines

B.15, B.17, E.1 and E.2 of the Harrow Council's Supplementary Planning Guidance (SPG) *Extensions: A Householders Guide march 2003*

-Class E of The Town and Country Planning Act (General Permitted Development) Order 1995.

- 2.3 The garden building does not constitute permitted development in accordance with class E (b) of the Town and Country Planning (General Permitted Development) Order 1995.
- 2.4 The Dwellinghouse is located in a residential area of terraced or semi-detached dwellinghouses. The street scene consists of uniform building lines along separate sections of the zigzagging road. The Garden building does not reflect the pattern of development in the street scene, as the protruding nature of the garden building, located on the elbow corner, interrupts the established character and building lines of the street scene adding excessive bulk and negative visual impact.
- 2.5 The predominant boundary treatment in Bouverie Road tends to be fences approximately 1 metre in height and/or hedgerow. The use of the walls of the garden building as boundary treatment for the property is has a detrimental impact of the street scene combined with the walls being rendered a white colour increasing the negative impact and prominent siting of the building by not suppressing the buildings utilitarian feel. The garden building, by reason of its siting, appears as a discordant form of development in the street scene and when viewed from surrounding properties to the detriment of the visual amenity of the locality and street scene.
- 2.6 Adjacent property, 69 Bouverie Road is situated on the southeast boundary of 71 Bouverie Road. The detached garden building is prominently located in the front corner of the side garden, it's prominent sitting extends forward of the front building line of 69 Bouverie Road by 2.5 metres. The prominent sitting and bulky design is un-neighbourly and has a detrimental impact on the amenity of adjacent property, 69 Bouverie Road.
- 2.7 The garden building, by reason of its height, position and design, has a discordant, obtrusive appearance, to the detriment of the visual amenity and character of the street scene as a whole and has a detrimental impact on the amenity of the occupiers of neighbouring properties.

The alleged breach of planning control

- 2.8 Without planning permission, the erection of a detached garden building

Reasons for issuing the notice

- 2.9 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.0 The detached garden building, by reason of its prominent siting, and design has a discordant, obtrusive appearance, when viewed from

surrounding properties and the street, it is detrimental to the visual amenity of the locality and the character of the street scene, contrary to policies SD1 and D4 of the *Harrow Council Unitary Development Plan 2004* and Detailed Guidelines, Front Extensions: A.1, A.2 and Corner Sites: B.15 of the *Extensions: A Householders Guide, Supplementary Planning Guidance*, Revised and Approved 18th March 2003

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

Consultation

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

Financial Implications

- 3.3 None.

Legal Implications

- 3.4 As contained in the report.

Equalities Impact

- 3.5 None.

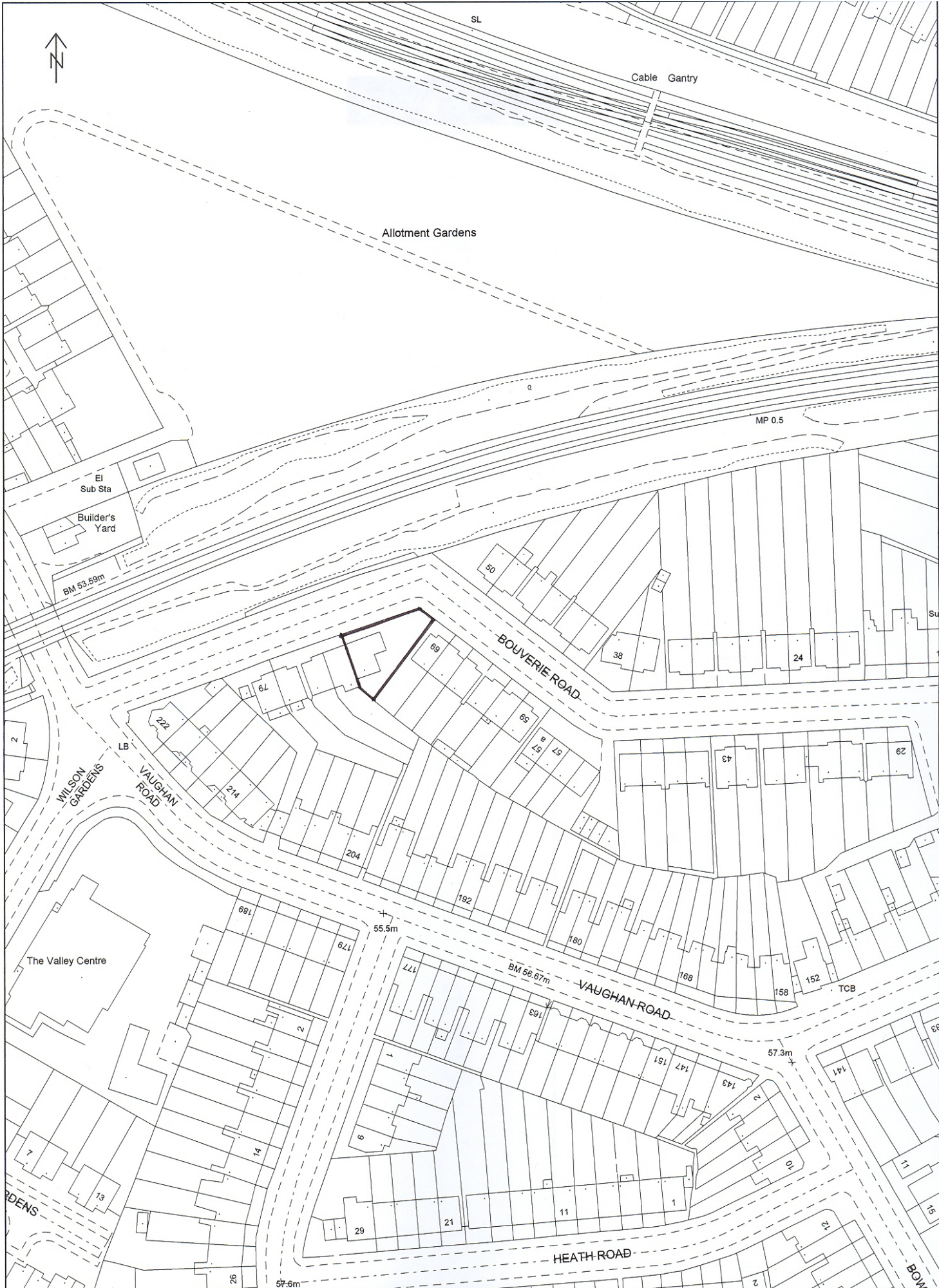
Section 17 Crime and Disorder Act 1998 Considerations

- 3.6 None

Section 3: Supporting Information/ Background Documents

- P/481/04/DFU – Two-storey side, single-storey front extension (revised); granted 13-04-2004.

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