



**DEVELOPMENT MANAGEMENT
COMMITTEE
WEDNESDAY 17 OCTOBER 2007
6.30 PM**

COMMITTEE AGENDA

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

MEMBERSHIP (Quorum 3)

Chairman: Councillor Marilyn Ashton

Councillors:

**Don Billson
Julia Merison
Narinder Singh Mudhar
Joyce Nickolay (VC)**

**Mrinal Choudhury
Keith Ferry
Thaya Idaikkadar**

Reserve Members:

**1. Manji Kara
2. G Chowdhury
3. Robert Benson
4. Dinesh Solanki
5. Mrs Janet Cowan**

**1. David Gawn
2. Graham Henson
3. Mrs Rekha Shah**

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

**Contact: Kate Boulter, Senior Democratic Services Officer
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 MANAGEMENT COMMITTEE

WEDNESDAY 17 OCTOBER 2007

AGENDA - PART I

Enc.

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

1. **Attendance by Reserve Members:**

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

Reserve Members may attend meetings:-

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

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

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

3. **Declarations of Interest:**

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

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

4. **Arrangement of Agenda:**

(a) To consider whether any item included on the agenda should be considered with the press and public excluded because it contains confidential information as defined in the Local Government Act 1972;

(b) to receive the addendum sheets and to note any applications which are recommended for deferral or have been withdrawn from the agenda by the applicant.

Enc.

5. **Minutes:** (Pages 3 - 12)

That the minutes of the meeting held on 6 September 2007, be taken as read and signed as a correct record.

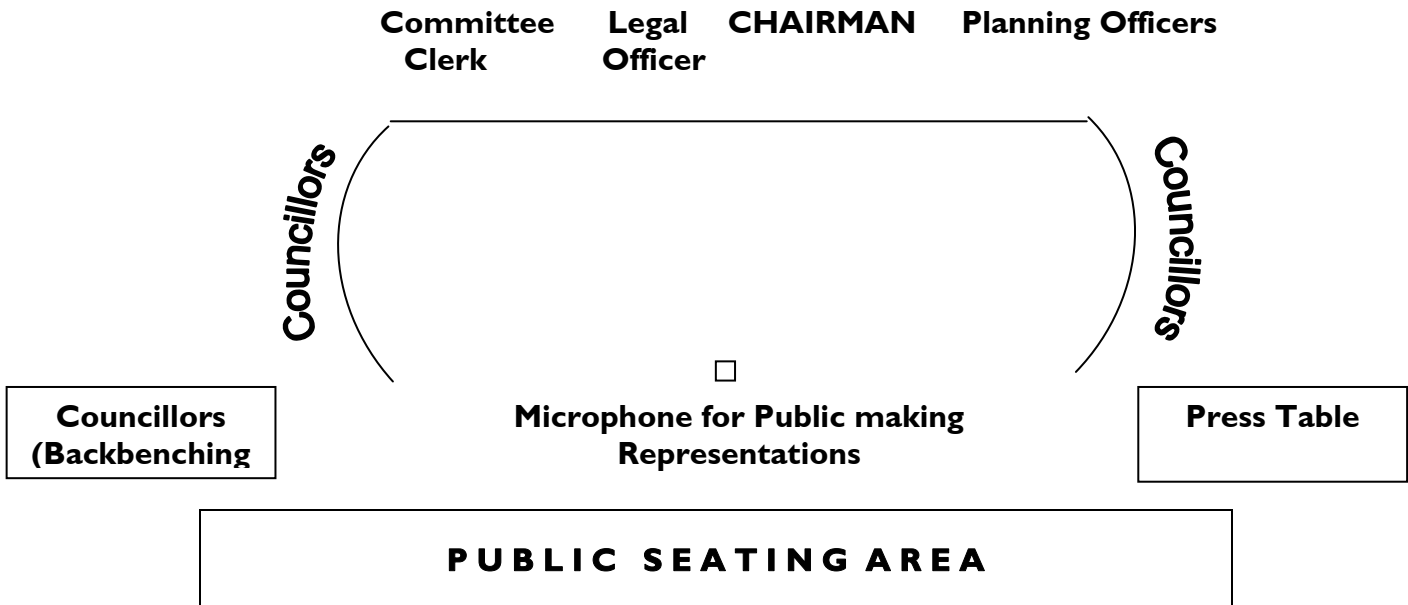
6. **Public Questions:**
To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).
7. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors.
8. **Deputations:**
To receive deputations (if any) under the provisions of Committee Procedure Rule 17 (Part 4B) of the Constitution.
9. **References from Council and other Committees/Panels:**
To receive references from Council and any other Committees or Panels (if any).
10. **Representations on Planning Applications:**
To confirm whether representations are to be received, under Committee Procedure Rule 18 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.
11. **Planning Applications Received:**
Report of the Head of Planning - circulated separately.
- Enc. 12. **Grove End, Grove Hill, Middlesex, HA1 3HE:** (Pages 13 - 18)
Report of the Group Manager (Planning and Development).
13. **Member Site Visits:**
To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).
14. **Any Other Urgent Business:**
Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE DEVELOPMENT MANAGEMENT COMMITTEE

Typical Committee Room Layout (for Committee Rooms 1&2)



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 may take a short break around 8.30 pm.

Rights of Objectors/Applicants to Speak at Development Management Committees

Please note that objectors may only speak if they requested to do so before 5pm on the working day before the meeting. In summary, where a planning application is recommended for grant by the Group Manager (Planning and Development), 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 Management 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 Management 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 Management 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 approximately 6.00 pm onwards.

Decisions taken by the Development Management 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 Management Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).

REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

MEETING HELD ON 6 SEPTEMBER 2007

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
* Mrinal Choudhury * Narinder Singh Mudhar
* Keith Ferry * Joyce Nickolay
* Thaya Idaikkadar

* Denotes Member present

[Note: Councillor B E Gate also attended this meeting to speak on the item indicated at Minute 128 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

127. **Attendance by Reserve Members:**

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

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

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

<u>Councillor</u>	<u>Agenda item</u>
Councillor B E Gate	Planning application 2/18

129. **Declarations of Interest:**

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

- (i) Planning application 2/04 – 54 Cuckoo Hill Road, Pinner
Councillor Joyce Nickolay declared a prejudicial interest in the above item. Accordingly, she would leave the room and take no part in the discussion and decision-making on the item.
- (ii) Planning application 2/10 – 169 Malvern Avenue, Harrow
Councillor Joyce Nickolay declared a prejudicial interest in the above item. Accordingly, she would leave the room and take no part in the discussion and decision-making on the item.
- (iii) Planning application 2/16 – Unit 9 Barratt Way Industrial Estate, Barrat Way, Harrow
Councillor Marilyn Ashton declared a personal interest in the above application arising from the fact that some years ago she had been acquainted with the family of Paul Orchover, who had requested to make representation at the meeting in relation to the application. Accordingly, she would remain in the room and take part in the discussion and decision-making on the item.
- (iv) Planning application 2/18 – Vaughan Centre, Vaughan Road, Harrow
Councillor B E Gate, who was not a Member of the Committee, declared a personal interest arising from the fact that he lived in the area and was a Ward Councillor. Accordingly, he would remain in the room during the discussion and decision-making on the item.

130. **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
13. Rear of 45 Station Road, Harrow	Consultation was still being undertaken at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency, as an interested party had been informed that the report would be presented to this meeting.

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

131. **Minutes:**

RESOLVED: That the minutes of the meeting held on 17 July 2007 be taken as read and signed as a correct record.

132. **Public Questions and Deputations:**

RESOLVED: To note that no public questions were put, or deputations received at this meeting under the provisions of Committee Procedure Rules 19 and 17 (Part 4B of the Constitution) respectively.

133. **Petitions:**

RESOLVED: To note receipt of the following petition:

- (i) Petition objecting to the demolition of the Vaughan Centre, planning application ref: P/2265/07/CFU
The above petition, containing 105 signatures, was presented by Councillor B E Gate.

134. **Petition re: John Lyon School (ref: P1936/07/DFU): Reference from the meeting of Council held on 12 July 2007:**

The Committee received the above petition which had been presented to the Council meeting held on 12 July 2007.

RESOLVED: That the petition be referred to the Head of Planning for consideration.

135. **Petition re: between 397 and 399 Torbay Road, Harrow (ref: P/1281/07): Reference from the meeting of Council held on 12 July 2007:**

The Committee received the above petition which had been presented to the Council meeting held on 12 July 2007.

RESOLVED: That the petition be referred to the Head of Planning for consideration.

136. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/07, 2/16 and 2/18 on the list of planning applications.

137. **Planning Applications Received:**

RESOLVED: That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

138. **Rear of 45 Station Road, Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in relation to the above.

RESOLVED: That, having regard to the provisions of the Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Council be authorised to:

- (a) Take all necessary steps for the preparation, issue and service of an Enforcement Notice requiring within three calendar months:
 - (i) The cessation of the use of the property as a retail unit (A1);
- (b) In the event of non-compliance with the above enforcement notice, to:
 - (i) Institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
 - (ii) Carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

139. **Member Site Visits:**

RESOLVED: That Member visits to the following sites would take place on Friday 21 September 2007 from 6.00 pm:

- Planning application 2/05 – Woodlands, 7 West Drive Gardens
- Planning application 2/08 – 50 Belmont Lane
- Planning application 2/10 – 169 Malvern Avenue

(Note: The meeting, having commenced at 6.30 pm, closed at 9.25 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1139/07/DFU
LOCATION: 46 Vancouver Road, Edgware, HA8 5DU
APPLICANT: A J Emmanuel for Mr A William
PROPOSAL: Conversion of dwellinghouse to 2 self-contained flats
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

LIST NO: 2/02 **APPLICATION NO:** P/0973/07/DFU
LOCATION: 17 Elmsleigh Avenue, Harrow, HA3 8HX
APPLICANT: Mr A Modhwadia for Mr Pankaj Papat
PROPOSAL: Single and two storey side to rear extension, rear dormer, conversion of dwellinghouse to two flats
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reason:

(i) The conversion of one family dwelling into two flats would represent an over-intensive use of the property and would be out of character in the locality to the detriment of the residential amenities within the area where the dwellings are typically semi-detached houses, contract to HUDP policies SD1 and D4.

[Note: The Head of Planning had recommended that the above application be granted].

LIST NO: 2/03 **APPLICATION NO:** P/1570/07/DFU
LOCATION: 224 High Road, Harrow, HA3 7BA
APPLICANT: Dalton Warner Davies LLP for Fruition Properties Ltd
PROPOSAL: Demolition of existing house and erection of part 2 and part 3 storey building comprising of 7 flats with associated car parking, landscaping and widening of vehicle access to High Road
DECISION: DEFERRED for renotification in relation to the alternative elevational treatment.

LIST NO: 2/04 **APPLICATION NO:** P/1617/07/DFU
LOCATION: 54 Cuckoo Hill Road, Pinner, HA5 1AX
APPLICANT: A M Frame for Mr and Mrs D Hewins
PROPOSAL: Single storey rear extension
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 129).

LIST NO: 2/05 **APPLICATION NO:** P/1646/07/DFU
LOCATION: Woodlands, 7 West Drive Gardens, Harrow, HA3 6TT
APPLICANT: Anthony J Blyth and Co for Mr and Mrs A Skone
PROPOSAL: Single storey front and two storey rear extension; conversion of roof space to habitable room and roof alterations; external alterations
DECISION: DEFERRED for a Member site visit.
(See also Minute 139).

LIST NO: 2/06 **APPLICATION NO:** P/2174/07/DFU
LOCATION: Plot 18, 14 Brightwen Grove, Warren Lane, Stanmore, HA7 4LE
APPLICANT: Mr Ray Merry for Mr Avir Shah
PROPOSAL: Single storey rear extension
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the condition and informatives reported.

LIST NO: 2/07 **APPLICATION NO:** P/2169/07/DFU
LOCATION: 26 Bellfield Avenue, Harrow, HA3 6SX
APPLICANT: E Hannigan for Mr Fitzgerald
PROPOSAL: Single storey summerhouse in rear garden
DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:

(i) The proposal would not preserve or enhance the character of the Conservation Area by reason of the design, size and appearance of the summerhouse in the rear garden and would be unduly obtrusive in this attractive garden setting, contrary to HUDP policies SD1, SD2, D4, D14, D15 and D16.

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

(2) during discussion on the above item, it was moved and seconded that the application be refused. Upon being put to the vote, this was carried;

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

(4) the Head of Planning had recommended that the above application be granted].

LIST NO: 2/08 **APPLICATION NO:** P/1526/07/DFU
LOCATION: 50 Belmont Lane, Stanmore, HA7 2PZ
APPLICANT: Mr A S Kassim for Mr Lakhman Lalji and Mrs Amratben Murji
PROPOSAL: Demolition of existing dwellinghouse, erection of replacement single/two storey dwellinghouse with integral garage (revised)
DECISION: DEFERRED for a Member site visit.
(See also Minute 139).

LIST NO: 2/09 **APPLICATION NO:** P/2032/07/DFU
LOCATION: 39 Dudley Road, South Harrow, HA2 0PS
APPLICANT: Mr S Reade for Mr T Herlihy
PROPOSAL: Conversion of dwellinghouse into two flats, front porch and external alterations
DECISION: DEFERRED for clarification of 'shared access'.

LIST NO: 2/10 **APPLICATION NO:** P/0863/07/DFU
LOCATION: 169 Malvern Avenue, Harrow, HA2 9NW
APPLICANT: Mr J I Kim/ArchiTech for Ms J Pulpnova
PROPOSAL: External alterations: single/two storey side and rear extension and conversion to two self-contained flats
DECISION: DEFERRED for a Member site visit.
(See also Minutes 129 and 139).

LIST NO: 2/11 **APPLICATION NO:** P/1485/07/DFU
LOCATION: 98 Marsh Road, Pinner, HA5 5NG
APPLICANT: Raymond Sims for Mr T Karunathasan
PROPOSAL: Single storey side extension; external alterations and conversion of dwellinghouse into two self-contained flats; binstore at side (resident permit restricted)
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reason:
(i) The proposed conversion provides no access to private amenity space from the first floor flat to the detriment of the amenity of the future occupiers and would be out of character in the locality, contrary to HUDP policies SD1, D4 and D5.
[Notes: (1) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the application to be refused;
(2) the Head of Planning had recommended that the above application be granted].

LIST NO: 2/12 **APPLICATION NO:** P/2103/07/DFU
LOCATION: 79 Marsh Road, Pinner, HA5 5PD
APPLICANT: Mr J Benaim for Mr and Mrs P Lawson
PROPOSAL: External alterations: two storey rear, single/two storey side extensions
DECISION: INFORM the applicant that:
(a) The proposal is acceptable subject to the completion of a legal agreement within six months (or such period as the Council may determine) of the date of the Committee decision on this application to require the implementation of either planning permission P/0581/04/DFU only or the proposal subject to this application P/2103/07/DFU, but not both.

- (b) A formal decision notice granting permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, will be issued only upon the completion of the aforementioned legal agreement.

LIST NO:	2/13	APPLICATION NO:	P/2245/07/DFU
LOCATION:	103 Waxwell Lane, Pinner, HA5 3EP		
APPLICANT:	Richard Henley for Matrix (Waxwell Lane) Ltd		
PROPOSAL:	Redevelopment to provide 2 x part single and two storey dwellinghouses with basements and accommodation at roof level		
DECISION:	<p>GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and the following additional conditions:</p> <ul style="list-style-type: none"> • The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. • All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing. <p>[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].</p>		

LIST NO:	2/14	APPLICATION NO:	P/1959/07/DFU
LOCATION:	110 Nibthwaite Road, Harrow		
APPLICANT:	David R Yeaman & Associates for NVSM		
PROPOSAL:	Conversion of dwellinghouse into 3 flats; roof alterations to form end gable with rear dormer; external alterations (resident permit restricted)		
DECISION:	<p>REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:</p> <p>(i) The proposal represents an over-intensive use of the property to the detriment of the residential amenities of the properties in the locality by reason of disturbance and activity which would be generated by three flats, contrary to HUDP policies SD1 and D4.</p> <p>[Notes: (1) Councillors Marilyn Ashton, Don Billson, Mrinal Choudhury, Thaya Idaikkadar, Julia Merison, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the application to be refused;</p> <p>(2) Councillor Keith Ferry wished to be recorded as having voted against the decision to refuse the application;</p> <p>(3) The Head of Planning had recommended that the above application be granted].</p>		

LIST NO: 2/15 **APPLICATION NO:** P/1535/07/DFU
LOCATION: 54 Cannon Lane, Pinner, HA5 1HW
APPLICANT: Rapleys LLP (Justin Packman) for Roar Bookmakers
PROPOSAL: Change of use of retail shop (A1) to bookmaker (A2)
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/16 **APPLICATION NO:** P/1527/07/DFU
LOCATION: Unit 9 Barratt Way Industrial Estate, Barratt Way, Harrow, HA3 5QF
APPLICANT: Chiltern Environmental Ltd for Paxton Recycling
PROPOSAL: Use of building for the reception, sorting and storing of materials for recycling, recovery and re-use
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

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

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

(See also Minute 129).

LIST NO: 2/17 **APPLICATION NO:** P/1614/07/CFU
LOCATION: Canons High School, Shaldon Road, Edgware, HA8 6AN
APPLICANT: Tony Welch Associates for The School Governors
PROPOSAL: Two single storey triple classroom units with entrance ramp and platform for temporary two year period
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/18 **APPLICATION NO:** P/2265/07/DFU
LOCATION: Vaughan Centre, Vaughan Road, Harrow, HA1 4EG
APPLICANT: Ashley House plc for Harrow Council
PROPOSAL: Part single, part two storey neighbourhood resource centre, with associated access and parking
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and confirmation from English Heritage that the building will not be included on the statutory list.

[Notes: (1) The Committee noted that Condition 5 contained a typographical error and that the correct wording was "...a: 0900 hours to 1800 hours, Monday to Saturday inclusive and not at all on Sunday..."];

(2) during discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

(i) Standard of design and layout.

(ii) Substandard amenity space for future users.

having been put to a vote, this was lost;

(3) subsequently, it was moved and seconded that the application be granted, as set out above. Having been put to a vote, this was carried;

(4) Councillors Marilyn Ashton, Don Billson, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted to grant the application, as set out above, the Chairman having used her second and casting vote;

(5) Councillors Mrinal Choudhury, Keith Ferry, Thaya Idaikkadar and Julia Merison wished to be recorded as having voted against the decision to grant the application].

(See also Minutes 129 and 133).

LIST NO:	2/19	APPLICATION NO:	P/2270/07/CFU
LOCATION:	Land adj. To Harrow Leisure Centre, Christchurch Avenue, Harrow, HA3 5BD		
APPLICANT:	Ashley House plc for Harrow Council		
PROPOSAL:	Part single, part two storey neighbourhood resource centre, with associated access and parking		
DECISION:	GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.		
	[The Committee noted that Condition 4 contained a typographical error and that the correct wording was "...a: 0900 hours to 1800 hours Monday to Saturday inclusive..."].		

LIST NO:	2/20	APPLICATION NO:	P/1044/07/DFU
LOCATION:	Land between 19-21 High Street, Wealdstone, HA3 5BY		
APPLICANT:	Kevin R Yeaman Associates for Kelvin Properties		
PROPOSAL:	Use of site for open market trading; market stall storage building; refuse storage enclosure		
DECISION:	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		
	[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].		

LIST NO:	2/21	APPLICATION NO:	P/1632/07/DLB
LOCATION:	Sweetmans Hall, 90 West End Lane, Pinner, HA5 3NT		
APPLICANT:	Orchard Associates for Mr and Mrs G Atkinson		
PROPOSAL:	Listed Building Consent: Installation of internal and external draingage; refurbishment of external building fabric at rear		
DECISION:	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		

LIST NO:	2/22	APPLICATION NO:	P/3044/06/CFU
LOCATION:	East End Farm, Moss Lane, Pinner, HA5 3AW		
APPLICANT:	Foundation Architecture for Mrs and Mrs Leaver		

PROPOSAL: Amendments to planning permission P/2953/05/CFU involving alterations to rooflights and omission of one roof ventilator (Barns A and B)

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

LIST NO: 2/23 **APPLICATION NO:** P/3045/06/CLB

LOCATION: East End Farm, Moss Lane, Pinner, HA5 3AW

APPLICANT: Foundation Architecture for Mrs and Mrs Leaver

PROPOSAL: Listed Building Consent: Amendments to listed building consent P/2954/05/CLB involving alterations to rooflights and omission of one roof ventilator (Barns A and B)

DECISION: GRANTED Listed Building Consent for the development described in the application and submitted plans, subject to the informatives reported.

LIST NO: 2/24 **APPLICATION NO:** P/P/0810/07/CFU

LOCATION: 80 Roxborough Road, Harrow, HA1 1PB

APPLICANT: Space Design Consultants for D Patel

PROPOSAL: Single storey front and rear extensions; two storey side extensions to dwellinghouse

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

[Notes: (1) Councillors Marilyn Ashton, Don Billson, Mrinal Choudhury, Thaya Idaikkadar, Julia Merison, Narinder Mudhar and Joyce Nickolay wished to be recorded as having voted for the application to be granted;

(2) Councillor Keith Ferry wished to be recorded as having abstained from voting].

LIST NO: 2/25 **APPLICATION NO:** P/1745/07/DFU

LOCATION: Land adj. To 2 Windsor Road, R/O 122-123 Weald Lane, Harrow, HA3 5EZ

APPLICANT: Saloria Architects for Mr Abdul Basheer

PROPOSAL: Two storey detached house; new vehicle crossover

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

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/1975/07/CFU

LOCATION: Land O/S Chasewood Park, Sudbury Hill, HA1 3NA

APPLICANT: PHA Comms Ltd for Orange PCS Ltd

PROPOSAL: 10 metre high telecommunications mast (telegraph pole design) with 1 antenna and equipment cabinet

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

[Noted: The officer verbally reported a late objection, which was noted by the Committee].



Meeting:	Development Management Committee
Date:	17 th October, 2007
Subject:	Grove End, Grove Hill, Middlesex, HA1 3HE.
Key Decision: (Executive-side only)	No
Responsible Officer:	Group Manager, Planning and Development
Portfolio Holder:	Planning, Development and Enterprise
Exempt:	No
Enclosures:	Site plan

Section 1 – Summary and Recommendations

This report relates to the unauthorised construction of an outbuilding exceeding 10 cubic metres in a conservation area on the plot of a property that has already been extended by more than 50 cubic metres. This report seeks authority to initiate enforcement action for its removal.

Recommendations:

Having regard to the provisions of the Harrow Unitary Development Plan and all other material planning considerations and in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended), it is recommended that the Director of Legal and Governance Services be authorised to:-

- (a) Take all necessary steps for the preparation, issue and service of an Enforcement Notice requiring;

- (i) The demolition of the outbuilding.
- (ii) The removal of all resultant debris and reinstatement of the land to its former condition.

(b) The period for compliance with the steps in (a) (i) and (ii) above would be 3 months from the date the notice takes effect.

(c) In the event of non-compliance with the above enforcement notice, to;

- (iii) Institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990.
- (iv) Carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

Reason: (For recommendation)

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

The outbuilding by reason of its siting, excessive size and bulk is overbearing and unduly obtrusive in appearance and results in overshadowing of the gardens of the neighbouring properties to the detriment of the amenity of the occupiers of those properties contrary to policies D4 and D5 of the Harrow Unitary Development Plan.

The outbuilding by reason of its size, scale, bulk and siting fails to preserve or enhance the character or appearance of the Roxborough Park and the Grove Conservation Area contrary to policies D14 and D15 of the Harrow Unitary Development Plan and policies of the Roxborough Park and the Grove Conservation Area Policy Statement.

Section 2 – Report

2.1 The site that is the subject of this report, Grove End, Grove Hill, consists of a two storey detached property with additional roof dormers and two storey and single storey side projections. The plot is bounded to the east by ‘Grove Cottage’ and ‘Garlet’, to the south by ‘Haven’, all of which are detached dwellings set in quite large gardens. It is located

in Roxborough Park and the Grove Conservation Area in a predominantly residential street, comprising semi-detached and detached dwellinghouses. It is located on the corner with Tyburn Lane.

2.2 The Council received a complaint on the 10th July 2006 that an outbuilding had been built that was larger than 10 cubic metres within the curtilage of the property. Subsequent investigations verified this allegation and established that a breach of planning control had occurred.

2.3 The property is situated within the Roxborough Park and the Grove conservation area and has existing extensions larger than 50 cubic metres. The outbuilding does not, therefore, fall within the provisions of Class A or E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

2.4 The expediency of enforcement action has been assessed with reference to guidance contained in PPG18 and Circular 10/97, both entitled 'Enforcing Planning Control'.

2.5 Expediency has also been assessed with regard to the statutory Development Plan, which for the Borough consists of the London Plan (adopted February 2004) and the Harrow Unitary Development Plan (HUDP), which was formally adopted in July 2004. HUDP policies that are relevant to this report include;

- Policy D4 (The Standard of Design and Layout)
- Policy D5 (New Residential Development – Amenity Space &

Privacy)

- Policy D14 (Conservation Areas)

- Policy D15 (Extensions and Alterations in Conservation Areas)

2.6 Also of relevance are policies 2 and 3 from the Council's Supplementary Planning Guidance: Roxborough Park and the Grove Conservation Area Policy Statement.

- 2.7 The height of the outbuilding is 4.32m at the highest point of the pitch and 3.52m at the lowest part of the pitch. The outbuilding has a 4.32m width and a 5.65m depth. This creates a volume of 95.68 cubic metres. The outbuilding is therefore unduly bulky.
- 2.8 The outbuilding is located on the boundary with the neighbouring gardens of Garlet to the east, Grove Cottage to the north and Haven to the south. Grove Cottage is set down by 1.2m below the ground level of this outbuilding. The boundary fences with the neighbouring properties are 1.93m in height. Since this development is 4.32m high, the upper 2.39m of this development is visible in surrounding gardens. The siting of the outbuilding combined with its size and bulk therefore makes this development particularly prominent and obtrusive, and causes overshadowing to adjacent garden. The excessive size of the outbuilding and its siting is therefore contrary to the HUDP planning policy D4 which indicates that a development should be of an appropriate standard of design and layout that considers site, context and scale. Similarly it is contrary to policies D5.
- 2.9 The property is located in the Roxborough Park and the Grove Conservation area. For all the reasons outlined in paragraph 2.7 and 2.8, the bulk and siting of the development is inappropriate. It therefore fails to preserve and enhance the character and appearance of this conservation area and so is contrary to HUDP policies D14, D15, and Supplementary Planning Document: 'Roxborough Park and the Grove Conservation Area Policy Statement' policies 2 and 3. This development is out of character on this site as there are no other outbuildings visible in the surrounding gardens within the Roxborough Park and the Grove Conservation Area. The development is therefore contrary to HUDP policies D4, D5, D14, D15 and policies 2 and 3 of 'Roxborough Park and the Grove Conservation Area Policy Statement'.
- 2.10 Accordingly enforcement action is recommended to secure the removal of the unauthorised outbuilding.

Financial Implications

2.11 The recipient of an enforcement notice can appeal against it to the Planning Inspectorate under Section 174 of the Town and Country Planning Act 1990. The Council might incur legal costs in defending an appeal against the enforcement notice. Any legal costs incurred will be contained within existing planning budgets.

2.12 Performance Issues

This report will not affect any performance indicators.

Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar	<input type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 4 th October, 2007		
Name: Jessica Farmer	<input type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 17 th September, 2007		

*Delete the words "on behalf of the" if the report is cleared directly by Myfanwy or Hugh.

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Planning Enforcement Officer , 0208 736 6163

Background Papers:

- Harrow Unitary Development Plan
- Supplementary Planning Guidance – Roxborough Park and the Grove conservation area.

If appropriate, does the report include the following considerations?

1.	Consultation	No
2.	Corporate Priorities	No

Site Plan –

