



**DEVELOPMENT MANAGEMENT
COMMITTEE
THURSDAY 16 OCTOBER 2008
6.30 PM**

COMMITTEE AGENDA

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

MEMBERSHIP (Quorum 3)

Chairman: Councillor Marilyn Ashton

Councillors:

**Husain Akhtar
Don Billson
Julia Merison
Joyce Nickolay (VC)**

**Keith Ferry
Krishna James
Thaya Idaikkadar**

Reserve Members:

1. Manji Kara
2. G Chowdhury
3. Dinesh Solanki
4. Ashok Kulkarni
5. -

1. Mrinal Choudhury
2. Graham Henson
3. Jerry Miles

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

**Contact: Vishal Seegoolam, Senior Democratic Services Officer
Tel: 020 8424 1883 E-mail: vishal.seegoolam@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

THURSDAY 16 OCTOBER 2008

AGENDA - PART I

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 3 September 2008 be taken as read and signed as a correct record.

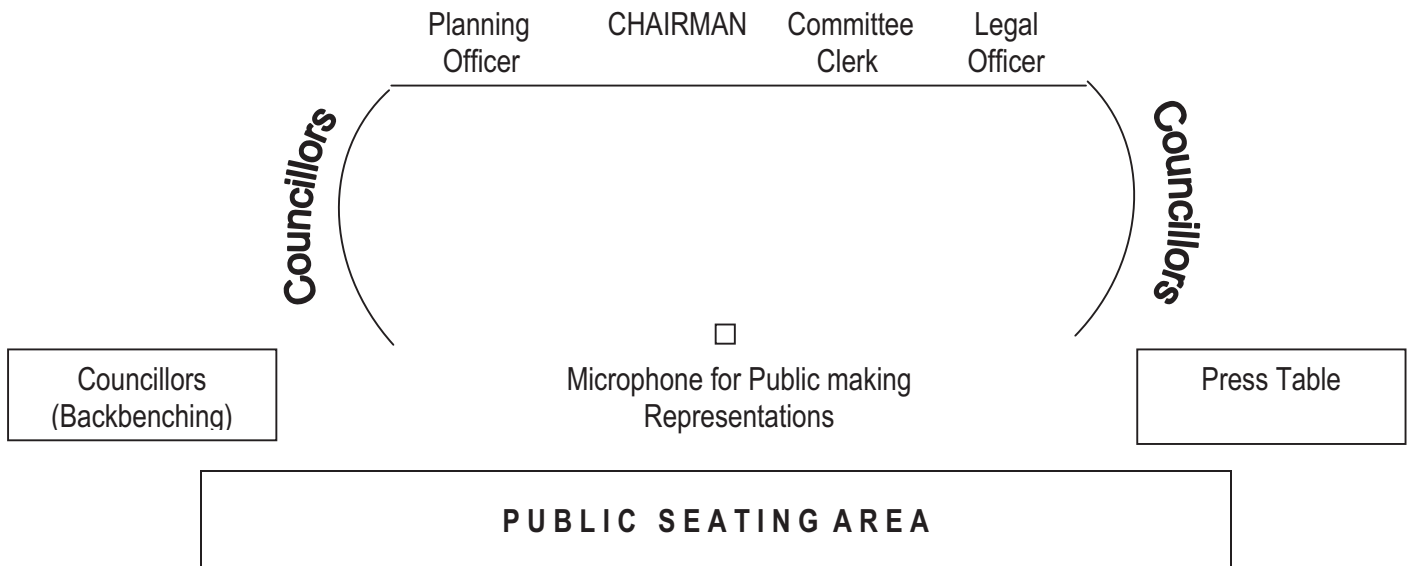
6. **Public Questions:**
To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).
7. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors.
8. **Deputations:**
To receive deputations (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. **Enforcement Notices Awaiting Compliance:** (Pages 13 - 22)
Report of the Head of Planning – for information.
- Enc. 13. **Tree Preservation Order No. 919:** (Pages 23 - 26)
Report of the Tree Preservation Officer.
14. **Member Site Visits:**
To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).
15. **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 3 SEPTEMBER 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Husain Akhtar * Julia Merison
* Mrinal Choudhury (1) * Jerry Miles (3)
* Thaya Idaikkadar * Joyce Nickolay
* Manji Kara (1)

* Denotes Member present
(1) and (3) Denote category of Reserve Members

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

260. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Don Billson	Councillor Manji Kara
Councillor Keith Ferry	Councillor Jerry Miles
Councillor Krishna James	Councillor Mrinal Choudhury

261. **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>Planning Application</u>
Paul Osborn	3/01 – Land Forming Part of Woodpeckers, Moss Lane and 9 Eastglade, Pinner

262. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
11. Planning Applications Received. Item 2/01 11 Norman Crescent, Pinner.	Councillor Marilyn Ashton	Personal interest in that Councillor Ashton knew an objector to the application, although it was not a close relationship. Councillor Ashton remained in the room and took part in the discussion and decision making on this item.
	Councillor Julia Merison	Personal interest in that Councillor Merison knew an objector to the application, although it was not a close relationship. Councillor Merison remained in the room and took part in the discussion and decision making on this item.
	Councillor Joyce Nickolay	Personal interest in that Councillor Nickolay knew an objector to the application, although it was not a close relationship. Councillor Nickolay

269. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Head of Planning which listed enforcement notices awaiting compliance.
- RESOLVED:** That the report be noted.
270. **Stopping Up of the Highway - Rayners Lane Estate, Areas Adjacent to Scott Crescent and Goldsmith Close:**
The Committee received a report of the Head of Development Management which sought to stop up areas of the highway fronting Scott Crescent and Goldsmith Close, to enable completion of a development in accordance with permission granted in June 2002 for the Rayners Lane regeneration.
- RESOLVED:** That (1) the Director of Legal and Governance Services be authorised to take the necessary steps to commence the process of stopping up of the areas of highway shown on the plan at Appendix 1 as required under sections 247 and 252 of the Town and Country Planning Act 1990 (the Act);
- (2) any objections made to the proposed order to stop up the highway, and not withdrawn within the prescribed period be referred to the Mayor of London for determination as to whether or not a public inquiry should be held in accordance with Section 252 of the Act;
- (3) if there are no objections to the proposed order, or the Mayor of London decides that a public inquiry is unnecessary, officers proceed with the making of the order without further reference to the Committee.
271. **Stopping Up of the Highway - Strongbridge Close Estate, Rayners Lane:**
The Committee received a report of the Head of Development Management which sought a resolution to stop up all of the public highway areas on the estate as shown at Appendix 1, to enable completion of the redevelopment of the Strongbridge Close Estate.
- Councillor Julia Merison declared a prejudicial interest in this item and took no part in the discussion and decision making.
- RESOLVED:** That (1) the Director of Legal and Governance Services be authorised to take the necessary steps to commence the process of stopping up of the areas of the highway shown on the application at Appendix 1 to the report, as required under sections 247 and 252 of the Town and Country Planning Act 1990 (the Act);
- (2) any objections made to the proposed order to stop up the highway, and not withdrawn within the prescribed period, be referred to the Mayor of London for determination as to whether or not a public inquiry should be held in accordance with Section 252 of the Act;
- (3) if there are no objections to the proposed order, or the Mayor of London decides that a public inquiry is unnecessary, officers proceed with the making of the order without further reference to the Committee.
272. **Tree Preservation Order No. 916 - 125 Whitchurch Gardens:**
The Committee received a report requesting the Committee to confirm Tree Preservation Order No. 916 notwithstanding the objections.
- RESOLVED:** That Tree Preservation Order No. 916 be confirmed.
273. **79 Marsh Road - Extension of time - Section 106 Agreement:**
The Committee received a report of the Director of Legal and Governance Services which requested a two month time extension to complete a Section 106 Agreement relating to 79 Marsh Road, Pinner, HA5 5PD.
- RESOLVED:** That the time for completion of a Section 106 Agreement relating to 79 Marsh Road, Pinner, HA5 5PD be extended by two months from 3 September 2008.
274. **Member Site Visits:**
- RESOLVED:** That Member visits to the following sites takes place on Friday 26 September 2008 from 5.30 pm.

275. **Urgent Non Executive Decision - Bothy, 65 Old Redding, Harrow:**
The Committee received a confidential information report of the Director of Legal and Governance Services on an Urgent Non-Executive decision relating to The Bothy, 65 Old Redding, Harrow.

RESOLVED: That the report be noted.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.25 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/1608/08/HG

LOCATION: 11 Norman Crescent, Pinner

APPLICANT: Mr R Dattani.

PROPOSAL: Single and Two Storey Side and Rear Extensions.

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 represents an overdevelopment of the site by reason of mass and bulk and would be detrimental to the residential amenities of the neighbouring property at 15 Norman Crescent resulting in a loss of outlook and light into the protected window of the first floor bedroom on the flank wall of the property thereof, which would be adversely affected by the proposed two storey extension to the boundary of the site, contrary to HUDP policy D4.

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

LIST NO: 2/02 **APPLICATION NO:** P/1427/08/NR

LOCATION: 176 Marsh Lane, Stanmore

APPLICANT: Mr N Ahmed

PROPOSAL: Retention of Single Storey Rear Extension and Alterations.

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.

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

LIST NO: 2/03 **APPLICATION NO:** P/1841/08/MT

LOCATION: 341 Eastcote Lane, Harrow

APPLICANT: Mr John Driver

PROPOSAL: Two-Storey Side to Rear Extension; Conversion of Dwelling House into Two Flats with Refuse Storage at Rear; New Vehicle Access; External Alterations.

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

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

LIST NO: 2/04 **APPLICATION NO:** P/1836/08/NR

LOCATION: Regent House, 21 Church Road, Stanmore

APPLICANT: Mr Danny Keeney

PROPOSAL: Two Storey Rear Extension and External Alterations to Windows and Doors.

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.

[Note: The Committee wished for it to be recorded that the decision to grant the application was un: 7].

LIST NO: 2/05 **APPLICATION NO:** P/1843/08/NR
LOCATION: Regent House, 21 Church Road, Stanmore
APPLICANT: Mr Danny Keeney
PROPOSAL: Listed Building Consent: Two Storey Rear Extension and External Alterations to Windows and Doors.
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.
[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/06 **APPLICATION NO:** P/1614/08/LM
LOCATION: 7 Altham Road, Hatch End
APPLICANT: Mr Raju Mashru
PROPOSAL: Retention of Single Storey Front, Side and Rear Extensions and Two Storey Side and Rear Extensions.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.
[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/07 **APPLICATION NO:** P/1755/08/JB1
LOCATION: 33 Bellfield Avenue, Harrow
APPLICANT: Mr Robert Stein
PROPOSAL: Detached Timber Outbuilding at Rear.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.
[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/08 **APPLICATION NO:** P/1655/08/GL
LOCATION: 32 Roxborough Road, Harrow
APPLICANT: Chasewood Developments Ltd
PROPOSAL: Conversion of Dwelling House into Three Flats; Single / Two Storey Side Extension; Loft Conversion with Rear Dormer and Two Front Roof Lights (Resident Permit Restricted).
DECISION: REFUSED permission for the development described in the application and submitted plans for the following reason:
(i) The second floor studio flat would give rise to a loss of amenity to the future occupiers thereof by reason of cramped living conditions, insufficient space and poor layout both in terms of floor space and height, contrary to HUDP policy D4.

LIST NO: 2/09 **APPLICATION NO:** P/0858/08/MRE
LOCATION: 49 Westwood Avenue, Harrow
APPLICANT: Mr L Morgan
PROPOSAL: Demolition of Rear Garage; Single Storey Side and Rear Extensions; Conversion of Dwelling House to 2 Flats with Parking and Refuse Storage at Side; External Alterations.
DECISION: DEFERRED for a Member Site Visit.

LIST NO: 2/10 **APPLICATION NO:** P/1416/08/NR
LOCATION: 15 Masefield Avenue, Stanmore
APPLICANT: Mr L Lubas
PROPOSAL: Single and Two Storey Rear Extension, Conversion of Loft to Habitable Room and Conversion to Two Flats.
DECISION: DEFERRED for a Member Site Visit.

LIST NO: 2/11 **APPLICATION NO:** P/1807/08/BS
LOCATION: 11 Temple Mead Close, Stanmore
APPLICANT: BTC Ltd
PROPOSAL: Redevelopment to Provide Single / Two Storey Detached House with Parking.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

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

LIST NO: 2/12 **APPLICATION NO:** P/1552/08/ML1
LOCATION: 64 and 66 Gordon Avenue, Stanmore
APPLICANT: Mr Ahmed
PROPOSAL: Single Storey Front, Side and Rear, Two Storey Side to Rear Extension and Rear Dormer to Both Properties.
DECISION: DEFERRED for a Member Site Visit.

LIST NO: 2/13 **APPLICATION NO:** P/2090/08/GL
LOCATION: 76 and 78 Wellington Road, Pinner
APPLICANT: Fusion Residential LLP
PROPOSAL: Outline for Layout, Scale, Appearance and Access; Demolition of Two Existing Dwelling Houses and Redevelopment to Provide Three Detached Dwelling Houses (Two Two-Storey Houses and One Bungalow) All with Accommodation in Roofspace; Detached Garage; 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 informative reported.

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

LIST NO: 2/14 **APPLICATION NO:** P/2367/08/GL
LOCATION: 355-357 Station Road, Harrow
APPLICANT: Mr Ilie Claudiu Gagea
PROPOSAL: Construction of Enlarged Third Floor and Two Additional Floors to Provide Seven Additional Self-Contained Flats (Resident Permit Restricted).
DECISION: DEFERRED to the next Strategic Planning Committee at officer's request for further discussion with the applicant.

LIST NO: 2/15 **APPLICATION NO:** P/1565/08/SB5
LOCATION: Talbot House, 204-226 Imperial Drive, Harrow
APPLICANT: Talbot House Business Centre Ltd
PROPOSAL: Roof Extension to Existing 3 Storey Office Building to Create 4th Storey to Provide 9 Flats, New Enclosed Rear Staircase and External Alterations (Resident Permit Restricted).
DECISION: DEFERRED to await further information from officers and the applicant on refuse storage arrangements.

LIST NO: 2/16 **APPLICATION NO:** P/1826/08/NR
LOCATION: Stag Lane School, Collier Drive, Edgware
APPLICANT: London Borough of Harrow
PROPOSAL: Two Storey Extension to Main Classroom Block
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

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

LIST NO: 2/17 **APPLICATION NO:** P/1849/08/ML1
LOCATION: 3 Aylmer Drive, Stanmore
APPLICANT: Mr R Kerai
PROPOSAL: Variation of Condition 1 of 'Determination: Demolition of Dwelling House' Approval P/3599/07/DDO dated 5 Dec 07 to Extend Period for Demolition and Restoration of the Site from Six Months to Twelve Months.
DECISION: GRANTED permission for the variation of Condition 1 of 'Determination: Demolition of Dwelling House' approval P/3359/07/DDO dated 5 Dec 07 to read:

The demolition and restoration of the site hereby permitted shall be completed within twelve months of the date of this approval.

REASON: In the interests of the character and appearance of the area and residential amenity.

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

LIST NO: 2/18 **APPLICATION NO:** P/1076/08/SB5
LOCATION: 37 High Street, Harrow on the Hill
APPLICANT: Narshgate Trading Ltd
PROPOSAL: Externally Illuminated Fascia Sign
DECISION: GRANTED advertisement consent for the works described in the application and submitted plans, as amended on the addendum, subject to the conditions and informatives reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/19 **APPLICATION NO:** P/2249/08/HG
LOCATION: 139 Cannon Lane, Pinner
APPLICANT: Mr Mahesh Mehta
PROPOSAL: Certificate of Lawful Proposed Development: Alteration of Roof from Hip to Gable End, Rear Dormer and Two Rooflights on Front of Roof
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/2563/08/SB5
LOCATION: Land Forming Part of Woodpeckers, Moss Lane and 9 EastGlade, Pinner
APPLICANT: Village Homes (Southern) LLP
PROPOSAL: Demolition of 9 Eastglade and Erection of Two Single / Two Storey Detached Houses with Basements and Double Garages, Layout of Access Road and Vehicular Access onto Eastglade.
DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the addendum, for the reasons reported.
 [Note: The Committee wished for it to be recorded that the decision to refuse the application was unanimous].

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO: 5/01 **APPLICATION NO:** P/2468/08/KR
LOCATION: Land at High Road, Harrow
APPLICANT: O2
PROPOSAL: Prior Approval for Siting and Appearance: 15 Metres High Telecommunications Mast and Antennae and Associated Equipment Cabinets.
DECISION: GRANTED prior approval of details and siting and appearance for the development described in the application and submitted plans, subject to the informatives reported.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

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ENFORCEMENT GRID - 30/09/08
ENFORCEMENT NOTICES AWAITING COMPLIANCE

ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
9 WEST DRIVE GARDENS, HARROW (Ward = Harrow Weald) Roof alterations without planning permission	EAST/631/02/FUL ENF/480/02/EAST LP/MW/PEN13018	GDM	20-Sep-02	20-Sep-02 (Legal Contact Officer - AK)	11-Feb-03	21-Mar-03	Hearing 03-Jun-03	10 months	21-Jan-04 21-Mar-04 26-APR-04	Notice to be served as soon as possible. Notice of appeal served. Appeal Dismissed Insp letter dated 20-Jun-03. Owners have offered to do works required, starting in Sept 2004. Site inspected in Sept 04, no works carried out. Planning app P/3293/04/DFU submitted. App refused. Borough Solicitor sent letter before action. Enf Officer has visited site with a view to preparing prosecution witness statement.
81 ROXETH HILL, HARROW ON THE HILL (Ward = Harrow on the Hill) Erection of roof extension	ENF/24/05/P Appeal 3308	AB5		(Legal Contact Officer - AK)	08/12/2004	14/01/2005	Hearing 18-Oct-05	9 Months	19-July -06 (following appeal decision)	AB / RD checking when roof was erected. Borough Solicitor preparing notice. Notice prepared. Planning Appeal part allowed (P/304/03/CFU). Enforcement Appeal Dismissed 18/10/05 with variation - 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. Recent site visit established that no action had been taken to comply with amended notice. Owner subsequently wrote to Council requesting more time, Council did not agree to this and Officer now drafting prosecution witness statement. Enf Officer has visited site with a view to preparing prosecution witness statement.

ENFORCEMENT NOTICES AWAITING COMPLIANCE										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
154 EASTCOTE LANE, SOUTH HARROW (Ward = Roxbourne) Single storey rear extension and raised patio	ENF/317/03/P	GW	17-Mar-04	23-Mar-04 (Legal Contact Officer - AK)	27-May-04	30-Jun-04		3 Months	01-Oct-04	Appeal received, appeal not valid. Section 78 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. Case Officer to undertake site visit, to proceed with prosecution subject to site visit. 12/02/2008 visit by case officer. Single storey rear extension and raised decking observed to be in existence. Preparing prosecution witness statement.
BROOMHILL, MOUNT PARK ROAD, HARROW ON THE HILL (Ward = Harrow on the Hill) Compliance with condition 8	ENF/625/03/P	GDM RJP (Case Officer)	08-Dec-04	(Legal Contact Officer - AK)	07-Feb-05	11-Mar-05	Written Representations	3 Months	09-APR-05 09-DEC-05	Appeal submitted. Appeal determined and upheld. Enforcement officer to monitor conditions. Conditions have not been met, case officer drafted Breach of Condition Notice. Enf Officer has visited site with a view to preparing prosecution witness statement.
35 ORCHARD GROVE, EDGWARE (Ward = Edgware) Extensions over 70 cubic metres.	ENF/483/04/P	RJP (report) GW (Case Officer)	17-May-05	7-June-05 (Legal Contact Officer-AK)	24-Nov-05	04-Jan-06	Appeal submitted. Appeal withdrawn	6 months	05-Jul-06	Section 330 notice served on 6-July-05. Section 330 Notices were returned unopened. Enforcement Notices issued. Appeal Submitted, awaiting outcome. Appeal withdrawn. Appellant intends to comply with The Town and Country Planning (General Permitted Development) Order 1995. Enforcement Officer to monitor and ensure compliance. Needs reassessing in the light of the new permitted development changes

ENFORCEMENT NOTICES AWAITING COMPLIANCE										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
61 OXLEAY ROAD, HARROW (Ward = Rayners Lane) Erection of rear extension and wall	ENF/425/04/P	RJP (Report) DMc (Case Officer)	17-May-05	7-October-05 (Legal Contact Officer - SY)	20-Jun-05	14-Nov-05		6 months	15-May-06	Section 330 notice served on 20- June-05. Enf notice issued. Case Officer visited on 7th September 2006, notice not complied with, letter sent advising owner of intention to commence prosecution proceedings. 12/02/2008 visit by case officer. Single storey rear extension and wall at rear observed to be still in existence. Enf Officer has visited site with a view to preparing prosecution witness statement.
22 WALTON ROAD, HARROW (Ward = Marlborough) Unauthorised construction of a single storey rear extension and front porch.	ENF/573/03/P	RJP (report)	27-Jul-05	10-Aug-05 (Legal Contact Officer- SY)	17-Oct-05	28-Nov-05	Appeal Dismissed (P/70/06/DCP).	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. Case re-allocated to new Officer to carry out site visit. Site visited on 6 February 2008. Rear extension and front porch still existing. Awaiting drafting of prosecution report.
108 WAXWELL LANE, PINNER (Ward = Pinner) Unauthorised construction of a raised rear deck and trellis	ENF/647/04/P	RJP (Report)	07-Dec-05	9-December-05 CML (Legal Contact Officer)	20-Apr-06	24-May-06		2 Months	24-Jul-06	S330 Notice served 10-January-2006. Needs to be allocated to new Case Officer to establish if compliance secured. 12/02/2008 visit by case officer unable to gain access. Site visit required by Enforcement Officer.
462 HONEYPOT LANE, STANMORE (Ward = Queensbury) Unauthorised construction of a single storey rear extension	ENF/619/04/P	RJP (Report) DMC (Case Officer)	15-Mar-06	17-Mar-06 SY (Legal Case Officer)	14-May-07	13-Jun-07		3 Months	13-Sep-07	Site visit required by Enforcement Officer.

ENFORCEMENT NOTICES AWAITING COMPLIANCE										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
76 FORMBY AVENUE, STANMORE (Ward = Queensbury) Use of outbuilding as two self-contained residential units	ENF/401/06/P	NR	28-Feb-07		23-Jul-07	23-Aug-07		3 Months		Enforcement Officer visited the site. Breach still existing. Prosecution witness statement required.
32 RUSLAND PARK ROAD, HARROW (Ward = Marlborough) Unauthorised construction of a two/three storey side to rear, single storey front to side extension and rear dormer	ENF519/05/P	RJP (Report)	07-Jun-06	19-Jun-06 JM (Legal Case Officer)	13-Sep-07	27-Feb-08	Appeal lodged (Written Reps)	3 Months changed to 6 months on appeal.	26-Aug-08 (from appeal decision)	Notice was withdrawn on 13 September 2007 and reissued on 13 September 2007. Awaiting appeal decision. The appeal succeeds in part and the notice is upheld with variations (27/02/2008). Compliance period changed to 6 months. The site is being monitored. Compliance period has expired and awaiting preparation of prosecution report
RAVENSHOLT, 12 MOUNT PARK ROAD, HARROW ON THE HILL (Ward = 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)	28-Jun-06	4-July-2006 (Legal Case Officer - SY)	31-Aug-07	1-Oct-07 25-Feb-08	Appeal Lodged (Written Reps)	1 Month. Details of landscaping to be submitted within 3 months and to be implemented within 6 months from the date of the LPS's approval.	25-Nov-2008 (maximum; from the appeal decision)	Awaiting appeal decision. The appeal succeeds in part and permission granted for the metal fence and concrete posts subject to the condition requiring submission and implementation of landscaping details. The appeal fails with regard to the reed panelling. The notice, as corrected, is upheld. (25/02/2008). The site is being monitored.
37 NORWOOD DRIVE, HARROW (Ward = Headstone North) Conversion of dwellinghouse into 7 self-contained bedsits	ENF/0692/05/P	GW	28-Feb-07		16-Jul-07	16-Aug-07	Appeal lodged (Hearing)	3 Months	24-Jul-08	Appeal Hearing scheduled for 9-April-2008. Appeal dismissed 24/04/2008.

ENFORCEMENT NOTICES AWAITING COMPLIANCE

ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
4 AYLWARDS RISE, STANMORE (Ward = Stanmore Park) Development without planning permission: Erection of replacement detached two-storey house and detached garage, without compliance with pre-commencement conditions.	ENF/0353/07/P	AB5			06-Aug-07	05-Sep-07	Appeal Lodged (Public Inquiry)	6 Months		Public Inquiry 08-Jan-2008 - await outcome. The appeal is allowed and the enforcement notice is quashed (21/02/2008). Planning Inspectorate reissued the Appeal Decision on 24/04/2008.
4 AYLWARDS RISE, STANMORE (Ward = Stanmore Park) Development without planning permission: Erection of replacement detached two-storey house and detached garage, outside the scope of planning permission.	ENF/0282/07/P	AB5			06-Aug-07	05-Sep-07	Appeal Lodged (Public Inquiry)	6 Months		Public Inquiry 08-Jan-2008 - await outcome. The appeal is allowed, the enforcement notice with corrections is quashed and planning permission granted in the terms set out in the Formal Decision (21/02/2008). Reissued on 24/04/2008. Compliance with the conditions is being monitored.
GROVE END, GROVE HILL ROAD, HARROW (Ward = Greenhill) Outbuilding larger than 10 cubic metres in conservation area.	ENF/633/06/P	LH (Case officer)	17-Oct-07	19-Oct-07	08-Jan-08	07-Feb-08		3 Months	07-May-08	Update site visit required by compliance check.
43 HIGH STREET, Harrow on the Hill (Ward = Harrow on the Hill) Unauthorised cash machine.	ENF/56/08/P	MRE		14-Feb-08	25-Jul-08	05-Sep-08		3 months		Planning permission refused for the development (application reference P/3593/07 on 20 December 2007). Draft report prepared for delegation and passed to Legal. Notice served 25/7/8.

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ENFORCEMENT NOTICES AWAITING COMPLIANCE										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
29 RAYNERS LANE, SOUTH HARROW (Ward = Roxbourne) Unauthorised single side & rear extension	ENF/0669/07/P	GW		21-May-08	25-Jul-08	05-Sep-08		3 months	04-Dec-08	Notice served 25/7/8.
85a WHITCHURCH LANE, EDGWARE (Ward = Canons) Single Storey rear extension	ENF/956/05/P	GW		27-May-08	31-Jul-08	12-Sep-08		3 months	11-Dec-08	Notice served 05/08/08.
18 BELMONT CIRCLE, BELMONT (Ward = Belmont) Change of use to estate agents	ENF/0711/07/P	GW		08-Jul-08	31-Jul-08	12-Sep-08		3 months	11-Dec-08	Notice served 05/08/08.
14 ROXETH GREEN AVENUE, HARROW (Ward = Roxbourne) Unauthorised construction of a rear extension	ENF/744/05/P	RJP (Report) MHX (Case Officer)	28-Jun-06	04-Jul-06	31-Aug-07	18-Aug-08	Appeal Lodged (Written Reps)	3 Months	17-Nov-08	Appeal dismissed 18 August 2008.
17 Radley Gardens, Harrow (Ward = Kenton East) Unauthorised conversion of ground floor of property into 2 flats and installation of additional entrance door.	ENF/55/08/P	ML1			22-Aug-08	03-Oct-08				Planning permission refused for the development (application reference P/1756/07 on 12 November 2007). Draft report prepared for delegation and passed to Legal. Notice served - awaiting compliance

ENFORCEMENT NOTICES AWAITING COMPLIANCE

ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Land at 3 Green Lane Cottages, Stanmore, (Ward = Stanmore Park) Replacement of two timber framed horn style sash windows with two uPVC casement windows	ENF0263/07/P	GW			22-Aug-08	03-Oct-08				Notice served - Awaiting compliance
Land at 34 Gordon Avenue, Stanmore (ward = Stanmore Park) Erection of single storey extension (approx 6m wide by 3m deep) on the forecourt of the dwelling	ENF/0594/07/P	GW			22-Aug-08	30-Sep-08				Notice served - Awaiting compliance

ENFORCEMENT NOTICES - AWAITING APPEAL DECISION

ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
THE BOTHY, 65 OLD REDDING, HARROW WEALD (Ward = Harrow Weald) Rear Decking (rear extension should be PD)	ENF/519/06/P	LH (Case officer)	17th July 2007	31st July 2007	6th November 2007	10th December 2007		3 Months	9th March 2008	Appeal lodged; public inquiry to be held 9 September 2008 . Awaiting appeal decision. Notice withdrawn
23 Nolton Place, Edgware HA8 6DL (Ward = Edgware) Unauthorised Conversion of house into 4 flats and conversion of outbuilding into 2 flats.	ENF/366/06/P	GW			25th June 2008	31st July 2008		Six months	31st January 2009	Enforcement Notice served. Appeal submitted Awaiting appeal decision

SITES BEING MONITORED/INVESTIGATED FOR ENFORCEMENT										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
Land to the rear of 48 The Avenue, Harrow Weald. (Ward = Harrow Weald) S215 Notice		AB5	08-Feb-06	23-Feb-06 06-Mar-06 (Legal Case Officer - SY)						Land Registry Search carried out; owner not contactable. Site visited by officer and under review.
Rear of 62-72 Orchard Grove, Harrow (Ward = Kenton East) Unauthorised change of use from a service road to a builders yard and the erection of a pole with a CCTV camera	ENF/117/04/P	DMC (Case Officer) RJP (Report)	15-Mar-06	17-Mar-06 (Legal Case Officer -SY)						S330 Notice served 22-June-2006. Site visit required by Enforcement Officer.
46 REPTON ROAD, KENTON (Ward = Kenton East) Unauthorised change of use to a builders yard.	ENF/565/04/P	AB5	27-Jul-05	10-Aug-05 (Legal Contact Officer- SY)	27-Oct-05	02-Dec-05	Appeal dismissed	3 months	18th January 2007 (following appeal decision)	S330 notice served on 25-August-05. Appeal lodged, but appeal dismissed on 18th October 2006. Case Officer monitoring to ensure compliance. Site visited on 8/11/07. and again on 15/11/07. Most of the materials have been removed. Continually monitored.

ENFORCEMENT NOTICES - REPORTS SENT TO LEGAL SERVICES										
ADDRESS AND ALLEGED BREACH	ENF/LEGAL/PL. APP REF. NOS.	OFFICER	C'TTEE DATE	MEMO LEGAL	DATE SERVED	EFFECTIVE DATE	APPEAL DATES	COMPLIANCE PERIOD	COMPLIANCE DATE	NOTES
2 West Drive, Harrow Weald, HA3 6TS (Ward = Harrow Weald) Unauthorised parapet wall over the side extension; air conditioning units over the roof. Roof light and rear balcony.	ENF/335/06/P	GW								Planning permission refused for the works (application reference P/2563/07 on 18 October 2007). Draft report prepared for delegation and passed to Legal. Parapet and rear balcony removed Further monitoring to ensure roof light is removed
69 Winchester Road, Harrow (Ward = Kenton East) Unauthorised front porch and single storey rear extension and conservatory.	ENF/502/06/P	GW								Planning permission refused for the development (application reference P/3001/06 on 15 January 2007). Draft report prepared for delegation and passed to Legal.
66 Woodhall Gate, Pinner (Ward = Hatch End) Unauthorised roof lights and turrets.	ENF/167/07/P	LH								Draft report prepared for delegation and passed to Legal.
Blackgate, Church Lane, Pinner (Ward = Pinner) Unauthorised Tree House.	ENF/54/08/P	SB5								Planning permission refused for the development (application reference P/1328/07 on 20 December 2007). Draft report prepared for delegation and passed to Legal.
132 Turner Road, Edgware (Ward = Queensbury) Unauthorised conversion and use of dwelling house as 2 self-contained flats.	ENF/52/08/P	NR								Planning permission refused for the development (application reference P/2416/07 on 28 November 2007). Draft report prepared for delegation and passed to Legal.



Meeting:	Development Management Committee
Date:	16 th October 2008
Subject:	Tree Preservation Order No. 919
Key Decision: (Executive-side only)	No
Responsible Officer:	Russell Ball, Tree Preservation Officer
Portfolio Holder:	Councillor Marilyn Ashton, Portfolio Holder for Planning, Development and Enterprise.
Exempt:	No
Enclosures:	1) Letter dated 8 th August 2008 from Mr FM Kornhauser 2) Photo of Yew tree as viewed from Stonegrove: opposite the Ashbrook entrance

SECTION 1 – SUMMARY AND RECOMMENDATIONS

Tree Preservation Order (TPO) No. 919 covers two Oaks and one Yew tree at the front of Ashbrook, Stonegrove. It was considered expedient to make the Order to protect these trees from a proposal to install 5 off-road parking spaces and a new electricity substation. It is likely that the proposal would be detrimental to both the health and amenity value of these trees.

A detailed objection has been made against this TPO in respect to the Yew. This report sets out why this TPO should be confirmed.

RECOMMENDATIONS:

The Committee is requested to confirm TPO No. 919 notwithstanding the objections.

REASON: This emergency TPO needs to be confirmed within 6 months otherwise the statutory protection afforded to the aforementioned trees will be lost.

SECTION 2 - REPORT

- 2.1 On 22nd July 2008, TPO No 919 was made in respect of three trees at Ashbrook, Stonegrove: two Oaks & a Yew. An objection letter was subsequently received from Mr FM Kornhauser.
- 2.2 Mr FM Kornhauser's objections are set out below with the Council's response
- 2.2.1 The Yew tree is a poor specimen with a spilt trunk.
Response: The Yew has good form with good vitality. The trunk carries multiple stems but is not split.
- 2.2.2 The Yew has suffered years of neglect and does not make a positive addition to the street scene.
Response: The Yew does not appear to be neglected (see photo). Moreover, the healthy tree provides significant public visual amenity to the street scene.
- 2.2.3 The Yew present a constraint to the installation of the proposed electricity substation
Response: An application to prune the Yew, to facilitate the installation of the substation, would be considered under the TPO. However, due to the Yew's significant public visual amenity, it is unlikely that it's removal would be accepted by this Council
- 2.3 There is no right of appeal to the Secretary of State against the confirmation of a TPO. However, under Section 288 of the Town and Country Planning Act 1990 ("the Act"), the validity of a TPO can be challenged on a point of law by an application to the High Court within six weeks of the date the TPO is confirmed on the grounds that: -
- 2.3.1 The TPO is not within the powers of the Act, or
- 2.3.2 The requirements of the Act (or Regulations made under the Act) have not been complied with in the making of the TPO.
- 2.4 The Committee is requested to give due consideration to the objections and the Arboricultural Officer's opinion that the objections do not outweigh the amenity considerations in this case.
- 2.5 It is accordingly recommended that the TPO be confirmed.

Financial Implications

There are no financial implications.

Performance Issues

None.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 29th September 2008.		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 17 September 2008		

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Russell Ball, Planning Arboricultural Officer, extn: 6092

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