



**PLANNING COMMITTEE  
WEDNESDAY 9 SEPTEMBER 2009  
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  
Thaya Idaikkadar  
Jerry Miles**

**Reserve Members:**

**1. Manji Kara  
2. G Chowdhury  
3. Dinesh Solanki  
4. Ashok Kulkarni  
5. Anthony Seymour**

**1. Graham Henson  
2. Krishna James  
3. Mrinal Choudhury**

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

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***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**

### **PLANNING COMMITTEE**

**WEDNESDAY 9 SEPTEMBER 2009**

#### **AGENDA - PART I**

#### **Guidance Note for Members of the Public Attending the Strategic Planning 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. **Minutes:** (Pages 3 - 14)

That the minutes of the meeting held on 22 July 2009 be taken as read and signed as a correct record.

5. **Public Questions:**

To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).

6. **Petitions:**

To receive petitions (if any) submitted by members of the public/Councillors.

7. **Deputations:**

To receive deputations (if any) under the provisions of Committee Procedure Rule 17 (Part 4B) of the Constitution.

8. **References from Council and other Committees/Panels:**  
To receive references from Council and any other Committees or Panels (if any).

9. **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.

10. **Planning Applications Received:**  
Report of the Head of Planning - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Chief Planning Officer, it will be the Members' responsibility to clearly set out the reasons for refusal where the Officer recommendation is for grant. The planning reasons for rejecting the Officer's advice must be clearly stated, whatever the recommendation and recorded in the minutes. The Officer must be given the opportunity to explain the implications of the contrary decision.

11. **Planning Enforcement:** (Pages 15 - 28)  
Report of the Divisional Director of Planning Services.

12. **Planning Committee Site Visit Procedure Note:** (Pages 29 - 34)  
Report of the Divisional Director of Planning Services.

13. **69 Elm Park, Stanmore:** (Pages 35 - 38)  
Report of the Divisional Director of Planning Services.

14. **Planning Appeals Update:** (Pages 39 - 70)  
Report of the Head of Planning – for information.

15. **Urgent Non-Executive Decision: North London Collegiate School:**  
(Pages 71 - 74)  
Report of the Director of Legal and Governance Services.

16. **Urgent Non-Executive Decision: Edgware Town FC, Burnt Oak Broadway, Edgware:** (Pages 75 - 78)  
Report of the Director of Legal and Governance Services.

17. **Member Site Visits:**  
To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).

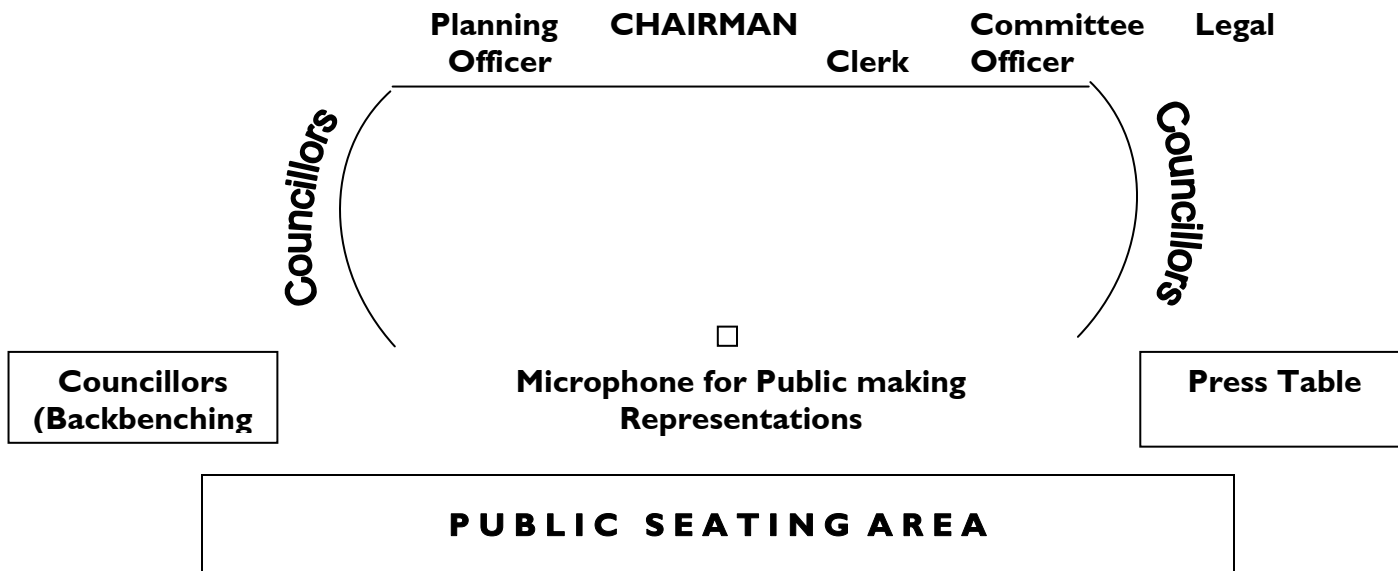
18. **Any Other Urgent Business:**  
Which cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

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## GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING 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 Planning 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 Head of Planning, 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 Planning 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 Planning Committee**” which is available in both the Planning Reception or by contacting the Committee Administrator (tel 020 8424 1542). 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 Planning 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 Planning 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 Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).***

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**REPORT OF PLANNING COMMITTEE**

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**MEETING HELD ON 22 JULY 2009**

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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Husain Akhtar \* Julia Merison  
\* Don Billson \* Jerry Miles  
\* Mrinal Choudhury (3) \* Joyce Nickolay  
\* Thaya Idaikkadar

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

[Note: Councillors Paul Scott and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 35 below].

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

34. **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 Keith Ferry	Councillor Mrinal Choudhury

35. **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:

<u>Councillor</u>	<u>Planning Application</u>
Paul Scott	1/04 Harrow Central Mosque, 24-34 Station Road, Harrow
	2/07 1 Bellfield Avenue, Harrow, Conservation Area Consent
	2/08 1 Bellfield Avenue, Harrow
Bill Stephenson	1/01 North Harrow Assembly Hall, Station Road, Harrow

36. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

Item 1/04 Harrow Central Mosque  
Councillor Husain Akhtar – prejudicial interest as he sometimes attended the mosque for prayer and knew some people there. Accordingly, he would leave the room and take no part in the decision making process.

Item 3/01 Land at the Royal National Orthopaedic Hospital, Brockley Hill, Stanmore  
Councillors Husain Akhtar, Don Billson, Julia Merison, Joyce Nickolay – personal interest as the Applicant's father was President of Harrow East Conservative Association.

Item 3/01 Land at Royal National Orthopaedic Hospital, Brockley Hill, Stanmore  
Councillor Marilyn Ashton – prejudicial interest as the Applicant's father was a personal friend. Accordingly, she would leave the room and take no part in the decision making process.

(Councillor Mrs Joyce Nickolay took the Chair for consideration of this item)

Item 3/02 Botwell Court, Headstone Road, Harrow Council

Councillor Thaya Idaikkadar – prejudicial interest as he knew the Applicant. Accordingly, he would leave the room and take no part in the decision making process.

Councillor Paul Scott, who was not a member of the Committee – personal interest as he lived near the application site.

37. **Minutes:**  
It was moved and seconded that minute 33, Extension of the Meeting, was not an accurate record of the meeting. Upon being put to the vote, the motion was lost.
- RESOLVED:** That the minutes of the meeting held on 24 June 2009 be taken as read and signed as a correct record.
38. **Public Questions, Petitions and Deputations:**
- RESOLVED:** To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 19, 16 and 17 respectively.
39. **References from Council and other Committees/Panels:**
- RESOLVED:** To note that there were no references from Council or other Committees or Panels to be received at the meeting.
40. **Representations on Planning Applications:**
- RESOLVED:** That in accordance with (1) Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 1/04, 2/05 and 2/09 on the list of planning applications;
- (2) Committee Procedure Rule 18.4 the Committee agreed to allow two representations to be received in respect of item 1/04;
- (3) Committee Procedure Rule 27.1 the Committee agreed to suspend Rule 18 to enable a representation to be made although notice had not been given in accordance with the procedure.
41. **Planning Applications Received:**  
In accordance with the Local Government (Access to Information) Act 1985, the Addendum was admitted late to the agenda as it contained information relating to various items on the agenda and was based on information received after the despatch of the agenda. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.
- The Head of Planning submitted reports in relation to the following applications for determination.
- RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered.

**PLANNING APPLICATIONS****(1) NORTH HARROW ASSEMBLY HALL, STATION ROAD, NORTH HARROW (APPLICATION 1/01)**

Reference: P/2376/08/DC3/MAJ – (BW Foundation). Demolition Of Buildings, Construction Of Community Centre Including Sports Hall, Gym, Prayer Hall For Up To 200 People, Library, Childrens Play Centre, Café/Restaurant, 24 Bed Nursing Home And 8 Flats.

The officer advised that the recommendation to refuse was based on three fundamental points. Whilst the potential development of the site was welcomed and was an important community facility, it sat within the flood plain and therefore required specific tests (set out in PPS25) to be addressed. Considerable dialogue had been undertaken but unfortunately had not overcome the concerns of the Environment Agency or the London Borough of Harrow interpretation of PPS25.

The proposals would replace a benign and low key development with a considerable development that had a close relationship with residential



properties. The siting, location and coverage amounted to overdevelopment and the scale and intensity rendered the scheme unacceptable.

It was not to say that improvement to the facility was unacceptable or that a form of development could not take place if it overcame the concerns outlined in the report but the proposed scheme was unacceptable.

In response to a question, the officer advised that extensive discussions had taken place with the Environmental Agency including a meeting the previous day. The proposal needed a fairly fundamental review if matters of flood risk were to be fully addressed.

Members stated that they were pleased that the Committee had deferred the application in order to explore what could be done to remedy the planning concerns but three fundamental issues remained.

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

1. The proposed development, by reason of failing to address all of the requirements of the exception test of Planning Policy Statement 25 (PPS25), would result in an unsafe development in an area with a high probability of flooding and is likely to result in flood risk elsewhere contrary to PPS25, policy 4A.12 of the London Plan 2008 and policy EP11 of the Harrow Unitary Development Plan 2004.
2. The proposed development, by reason of excessive bulk, massing and footprint, would appear unduly bulky, obtrusive, overbearing and over dominant and would have a detrimental effect on the amenities of neighboring occupiers at numbers 49, 51, 53 and 55 Cumberland Road and number 38 Canterbury Road contrary to policies 4B.1 of the London Plan 2008, D4, and D5 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance: Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).
3. The proposed development, by reason of excessive site coverage by buildings, hard-surfaced areas and increase in on-street parking with associated disturbance and general activity, lack of green space and loss of trees, would be an over-intensive use, and amount to an overdevelopment of the site to the detriment of neighboring residential amenity, the free flow and safety of vehicular traffic and pedestrians on the public highway and to the character and appearance of the area, contrary to policies 4B.1 of The London Plan 2008, D4, D5, D9, D10, T6, T13 and EP25 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).

*The Committee wished it to be recorded that the decision to REFUSE was unanimous.*

**(2) ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, STANMORE  
(APPLICATION 1/02)**

Reference: P/0963/09/RH/MAJ – (RNOH Trust & Ronald McDonald House Charities). Demolition Of Graham Hill Unit And Construction Of Three Storey Ronald Mcdonald House (Sui Generis).

The officer advised that a response to consultation on the application by the Mayor of London had been received that afternoon. There were a number of issues that the Mayor had raised relating to the policy justification provided in support of the development and detailed design matters.

Members were of the view that consideration of the application should be deferred to seek more clarification and discussion in the light of comments from the Greater London Authority.

**DECISION:** DEFFERED for further clarification and discussion in the light of comments from the Greater London Authority.

*The Committee wished it to be recorded that the decision to DEFER was unanimous.*

**(3) 93 & FORMER MORTUARY AND PARKS DEPOSIT SITE, PEEL ROAD, WEALDSTONE (APPLICATION 1/03)**

Reference: P/1292/09/SL/MAJ – (Forest Whitmore Limited). Revised Application: Redevelopment Of 46 Affordable Housing Units [34 Flats And 12 Houses] In 3 no. X Three-Storey And Four-Storey Blocks, New Home Zone, Access Off Peel Road, 36 Surface Car Parking Spaces [Including 4 Disabled], 46 Cycle Spaces, Private And Communal Garden Space, Associated Landscaping And Refuse Bin Storage [Resident Permit Restricted].

In response to a question, the officer advised that precise definitions would be included in the Section 106 Agreement to secure the tenure mix proposed by officers and this would prevent the developer from unilaterally changing the intermediate housing to social rented units. Should the developer wish to amend the proposed mix of housing tenure, an application for a variation of the Section 106 legal agreement would have to be made to the Council and the application would be brought to the Committee for reconsideration.

The Committee considered it important to implement a reasonable balance of tenures in order to maintain a sustainable community, particularly for larger developments. In response, the officer stated that there were policies in the Unitary Development Plan and London Plan which aimed to secure a balanced mix of dwelling types within new development. Further information could be provided on forecast trends and methods of a reasonable proportionate response to ensure a sustainable community.

Further information could be provided to the Committee on the creation of mixed tenure development if required.

**DECISION:** DEFER for further consideration.

*The Committee wished it to be recorded that the decision to DEFER was unanimous.*

**(4) HARROW CENTRAL MOSQUE, 24-34 STATION ROAD, HARROW (APPLICATION 1/04)**

Reference: P/0338/09 – (Harrow Central Mosque & Islamic Centre). Retention And Completion Of Mosque With Various Related Ancillary Activities

The Committee received representations from two objectors, Helen Webster and Philippa Cooper, and the Applicant (Nigel Moor) which were noted.

In presenting his report, the officer advised that efforts had been made to balance interests carefully, to fulfill the needs for worship alongside protecting the legitimate amenity needs

The attention of the Committee was drawn to the addendum sheet which set out proposed controls, particularly with regard to the hours of use and management of the extended use. The legal agreement to be completed within six month of the Planning Committee meeting would include the following:

- i) **Use of 36-38 Station Road**  
Within one month of the completion and beneficial occupation of the new development [unless otherwise approved in writing by the Director of Planning] to cease use of 36-38 Station Road as an operational Mosque.
- ii) **Removal of extensions to 36-38 Station Road**  
Within one month of the completion and beneficial occupation of the new development [unless otherwise approved in writing by the Director of Planning] to remove the single-storey rear projection / structure to the rear of the single-storey rear extension at 36-38 Station Road, and shall not be used for any other purpose within Class D1 of the Town and Country Planning (Use Classes) Order 1987 [with Amendments].

- iii) **Affordable housing**  
 Within six months of the completion and beneficial occupation of the new development [unless otherwise approved in writing by the Director of Planning] that 36-38 Station Road shall be brought into use for affordable housing as defined in the London Plan 2008 and Harrow's Unitary Development Plan 2004 whether by conversion or redevelopment [to be approved through the submission of a planning application], to be managed by a Registered Social Landlord, subject to a nomination agreement with Harrow Council.
- iv) **Hours of operation**  
 The premises shall not be used for any other function or assembly before 0730 hrs and after 2200 hrs except: a) in line with a religious calendar submitted to and approved in writing by the Director of Planning on an annual basis prior to the commencement of that religious calendar. Any changes to the submitted and approved religious calendar would require the further written agreement of the Director of Planning.
- b) with the prior written approval of the Director of Planning where the applicant has given not less than two months notice of an event occurring after 22.00hrs
- v) **Car parking**  
 A contribution of up to £15,000 towards the cost of the survey, public consultation and, if required, the modification of the CPZ;
- vi) **Legal fees**  
 Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- vii) **Planning administration fee**  
 Payment of £750.00 administration fee for the monitoring of and compliance with this agreement.

It was noted that the Controlled Parking Zone was not a matter for the Planning Department or the Planning Committee but should an issue arise the Applicant would make a contribution should there be a need to amend the existing CPZ.

In response to a question, the officers advised that any breaches of planning control would be brought to the attention of the Council and an enforcement investigation would be undertaken. If a breach of S106 took place it would be a contract breach and would be remedied through the courts.

**DECISION:** GRANTED permission for the development described in the application and submitted plans subject to the completion of a legal agreement and the conditions and informatives reported, as amended by the Addendum and the amendment of Condition 10 to require the agreement of Transport for London to the Travel Plan.

*The Committee wished it to be recorded that the decision to GRANT was unanimous by those of the Committee able to vote.*

(5) **46 CHURCH ROAD, STANMORE (APPLICATION 2/01)**

Reference: P/0439/09/NR/E - (Mr Michael Trainis). Demolition Of Existing Bakery Building; Proposed Replacement Detached Two Storey Building To Provide Garages On Ground Floor With Offices (Class B1) Over.

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

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

(6) **48 LADY AYLESFORD AVENUE, STANMORE (APPLICATION 2/02)**

Reference: P/0830/09/FOD/E - (Mr Aron Sloma). Single Storey Rear Extension With Basement.

**DECISION:** DEFERRED for a Member Site Visit.

(7) **24 GORDON AVENUE, STANMORE (APPLICATION 2/03)**

Reference: P/0556/09/FOD/E - (Mr & Mrs Colley). Detached Single/Two-Storey Dwellinghouse In Side Garden.

**DECISION:** DEFERRED for a Member Site Visit.

(8) **13 HARROW VIEW, HARROW (APPLICATION 2/04)**

Reference: P/0520/09/AT/C – (Mr Roy Gooder). Conversion Of Dwellinghouse To Three Flats; External Alterations.

The Committee received a representation from one objector, Yvonne Nour, which was noted.

It was noted that the previous application had been revised to replace two one bedroom flats on the ground floor with two studio flats.

In response to a question, it was noted that the Council did not have any control over the number of people occupying a studio flat.

The Committee was of the opinion that the reasons for the refusal of the previous application had not been fully addressed.

**DECISION:** REFUSED by reason that the proposed development would give rise to an over-intensive use of this site, by reason of the number of units proposed, and would result in an unreasonable increase in residential activity and associated disturbance, to the detriment of the amenity of neighbouring occupiers and character of the locality, contrary to Harrow Unitary Development Plan (2004) Policies D4 and D5.

*The Committee wished it to be recorded that the decision to REFUSE was unanimous.*

(9) **294 UXBRIDGE ROAD, HATCH END (APPLICATION 2/05)**

Reference: P/0555/09/RH/MAJ – (Mr A Surace). Retention of Change Of Use Of Part Of Ground Floor Shop (Class A1 Use) To Restaurant (Class A3 Use) With Extract Flue On Rear Elevation.

The Committee received a representation from one objector, Peter Jacques, which was noted.

Members sought clarification as to whether the entire premises was a restaurant and whether the report was correct in stating that the food sold in the shop would be cold. The officer indicated that clarity as to what activity was to be regularised was required.

**DECISION:** DEFERRED for clarification as to the change of use to be retained.

*The Committee wished it to be recorded that the decision to DEFER was unanimous.*

(10) **WEALD MIDDLE SCHOOL, ROBIN HOOD DRIVE, HARROW WEALD (APPLICATION 2/06)**

Reference: P/1120/09/GL/C – (Harrow Council). Single Storey Extensions To Middle School Building; 2.4m High Metal Mesh Fencing With 2.1m High Entrance Gate On South Elevation; External Alterations.

**DECISION:** GRANTED permission under Regulation 3 of the Town and Country Planning General Regulations 1992 for the development described in the application and submitted plans, subject to the conditions and informatives reported.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(11) 1 BELLFIELD AVENUE, HARROW (APPLICATION 2/07)**

Reference: P/0163/09/AT/C – (Mr Adrian Thomas O'Mally). Conservation Area Consent: Demolition Of Existing Bungalow And Construction Of New Two Storey Dwelling.

**DECISION:** GRANTED Conservation Area Consent for the demolition described in the application and submitted plans.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(12) 1 BELLFIELD AVENUE, HARROW (APPLICATION 2/08)**

Reference: P/0444/09/AT/C – (Mr Adrian Thomas O'Mally). Detached Two Storey Dwellinghouse With Basement And Habitable Roofspace; Demolition Of Existing Bungalow

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

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(13) 90 KINGSFIELD AVENUE, HARROW (APPLICATION 2/09)**

Reference: P/0877/09/LM/C – (Mr Kamal Rafique). Retention Of Single Storey Side To Rear Extension With Proposed Modification To Roof Height

The Committee received a representation from one objector, Shambhu Gupta, which was noted.

Members had undertaken a site visit regarding the application. The Committee discussed whether the construction, that was not in compliance with the previous planning permission, would do harm and whether an objection was sustainable.

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

*The Committee wished it to be recorded that the voting was as follows:*

*Councillor Husain Akhtar, Marilyn Ashton, Don Billson, Julia Merison and Joyce Nickolay as having supported the grant,*

*Councillors Mrinal Choudhury, Thaya Idaikkadar and Jerry Miles abstained.*

**(14) HARROW ARTS CENTRE, UXBRIDGE ROAD, HATCH END (APPLICATION 2/10)**

Reference: P/0918/09/GL/C – (Harrow Council). Demolition Of Existing Storage Shed And Erection Of New Brick Clad Modular Building To Provide Multipurpose Community Learning And Events Facility

The officer introduced the report noting that this matter had been deferred from the June meeting in order to seek revisions to the design. The design had been revised to improve the appearance of the building.

**DECISION:** GRANTED permission under Regulation 3 of the Town and Country Planning General Regulations 1992, for the development described in the application and submitted plans subject to the conditions and informatives reported.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(15) HARROW ARTS CENTRE, UXBRIDGE ROAD, HATCH END (APPLICATION 2/11)**

Reference: P/0922/09/LC3/CONS – (Harrow Council). Listed Building Consent: Demolition Of Existing Storage Shed And Erection Of New Brick Clad Modular Building To Provide Multipurpose Community Learning And Events Facility Within Curtilage Of Elliott Hall

**DECISION:** GRANTED Listed Building Consent for the demolition described in the application and submitted plans.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(16) 72 LAKE VIEW, EDGWARE (APPLICATION 2/12)**

Reference: P/0654/09/FOD/E – (DS Squared Architects – Mr. Dipesh Patel). Single/Two Storey Side, Single Storey Rear And Basement Extensions; Conversion Of Garage To Habitable Room; External Alterations To Rear Patio

**DECISION:** GRANTED permission for the development described in the application and submitted plans.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(17) 10 OXFORD ROAD, HARROW (APPLICATION 2/13)**

Reference: P/2888/08/ML1 – (Mr James McHugh). Conversion To Two Flats; Single & Two Storey Rear Extension; Parking At Rear

In discussing the Application, Members expressed concern at the lack of wheelchair access to the ground floor flat.

**DECISION:** REFUSED, the proposed development by reason of the layout, with the ground floor flat being accessed by the side door, does not comply with Lifetime Homes Standards, because of the unsuitability of the side entrance for wheelchair access, contrary to the Harrow's Accessible Homes SPD and London Plan policy 3A.5.

*The Committee wished it to be recorded that the voting was as follows:*

*Councillor Husain Akhtar, Marilyn Ashton, Don Billson, Julia Merison and Joyce Nickolay as having supported the grant,*

*Councillors Mrinal Choudhury and Jerry Miles abstained.*

*Councillor Thaya Idaikkadar voted against refusal.*

**(18) ST ANN'S SHOPPING CENTRE, ST ANN'S ROAD (APPLICATION 2/14)**

Reference: P/1440/09/RH/MAJ – (Sven Schmidt). Temporary Permission For German Christmas Market From 21<sup>st</sup> November 2009 To 31<sup>st</sup> December 2009 Including Installation Of Temporary Stalls

**DECISION:** GRANTED temporary permission for German Christmas Market from 21 November 2009 to 31 December 2009 including installation of temporary stalls.

*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(19) 55 GORDON AVENUE, STANMORE (APPLICATION 2/15)**

Reference: P/0130/09/ML1/E – (Banner Homes Ltd, Mr Neil Cottrell). Demolition Of Existing Building And Redevelopment To Provide Four Terraced Two Storey Houses With Rooms In Roofspace Fronting Gordon Avenue With Parking And Pergolas At Front Accessed From Weymouth Walk

**DECISION:** GRANTED permission for the development described in the application and submitted plans.



*The Committee wished it to be recorded that the decision to GRANT was unanimous.*

**(20) 224 HIGH ROAD, HARROW WEALD (APPLICATION 2/16)**

Reference: P/0258/09/RH/MAJ – (Mr Mani Khiroya). Part Two And Part Three Storey Building Comprising Eight Flats With Associated Car Parking; Landscaping And Widening Of Vehicle Access To High Road

**DECISION:** DEFERRED for a Member Site Visit

**(21) LAND AT ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, BROCKLEY HILL, STANMORE (APPLICATION 3/01)**

Reference: P/0856/09/NR/E – (Mr Paavan Papat). Detached Three Storey Dwelling House With Basement, Use Of Vine Cottage As Triple Garage, Store And Residential Unit For Caretaker With External Alterations, Demolition Of All Other Buildings On The Site, Access From Brockley Hill

The Vice-Chairman took the Chair.

**DECISION:** DEFERRED for a Member Site Visit

**(22) BOTWELL COURT, 118 HEADSTONE ROAD, HARROW (APPLICATION 3/02)**

Reference: P/0763/09/GL/C - Mr K Sabaratnam. Provision Of Two Flats Within Mansard Roof Space Together With Roof Lights To Front And Rear Roof Slopes

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

- 1) The proposal, by reason of an excessive number of velux rooflights both to the front and rear elevations, with regard to the design of the roof, would appear visually obtrusive and would detract from the established pattern and character of the existing development in the vicinity and would have a detrimental effect on the visual amenities of the nearby occupiers, contrary to policy D4 of the Harrow Unitary Development Plan (2004).
- 2) The two flats, which would be created by the use of the roofspace, would afford substandard accommodation to the detriment of the residential amenities of the future occupiers thereof and, in the absence of easy access to the upper floor and the fact that these flats would be located on the fourth floor, would fail to meet the requirements of Lifetime Homes Standards contrary to policies D4 and C16 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document, Accessible Homes (2006).

*The Committee wished it to be recorded that the decision to REFUSE was unanimous by those of the Committee able to vote.*

42. **Planning Appeals Update:**

The Committee received a report and verbal update from the Head of Planning which listed those appeals being dealt with and those awaiting decision.

**RESOLVED:** That the report be noted.

43. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed those enforcement notices awaiting compliance.

The intention to provide a revised format with information on a ward basis was noted and welcomed.

**RESOLVED:** That the report be noted.

44. **13 - 17 Manor Road, Harrow:**

Consideration was given to a report by the Divisional Director of Planning regarding the unauthorised erection of a block of 15 flats built in breach of planning control.

An amendment to the officer recommendation that the Divisional Director of Planning be given authority to amend the wording to clarify the reasons for enforcement was agreed.

**RESOLVED:** That (1) 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 Director of Legal and Governance Services be authorised to:

- i. take all necessary steps for the preparation, issue and service of an Enforcement Notice (including the services of any section 330 Town and Country Planning Act notice necessary to facilitate the service of the enforcement notice itself) with the following requirements:-
  - A. cease the use of the unauthorised flat (number 15) at second floor level and remove all internal partitions and installations that enable its use
  - B. reinstate the block as 14 flats
  - C. install a lift to accord with planning permission ref: P/2889/04, granted on appeal on 4 October 2005 and
  - D. remove from the land all debris and materials arising from compliance with requirements A to C above, with a period of 6 calendar months being given for compliance.
- ii. in the event of non-compliance with the above enforcement notice, to:
  - A. 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
  - B. carry out works in default, should it be considered financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

(2) the Head of Planning be given authority to amend the wording to clarify the reasons for enforcement.

45. **INFORMATION REPORT - Urgent Non-Executive Decision: Wood Farm, Wood Lane, Stanmore:**

The Committee received an Information Report of the Director of Legal and Governance Services concerning an Urgent Non-Executive Decision that had been taken. This decision related to a variation in the second section 106 Head of Term referred to in the officer report to the Strategic Planning Committee of 2 October 2008 which required the applicant to indemnify the Council against claims arising from the provisions of the Agreement and to replace with the following:

“To procure that any party engaged to carry out any of the works relating to the Stanmore Country Park extension shall have in place, prior to commencement of the works, public liability insurance with a minimum cover of five million pounds (£5,000,000) and to use all reasonable endeavours to procure that the Council’s interest is noted on the insurance policy.”

Further to the reference to ‘bridleways’ in sub paragraph b of the seventh Head of Term in the officer report to the Strategic Planning Committee of 2 October 2008 should be deleted.

**RESOLVED:** That the report be noted.



46. **INFORMATION REPORT - Urgent Non-Executive Decision: Lowlands Road Recreation Ground:**

The Committee received an Information report from the Director of Legal and Governance Services concerning an Urgent Non-Executive Decision to amend the decision of the Strategic Planning Committee dated 14 January 2009, in respect of the proposed Harrow College development to: delete conditions 7 and 19, and delete and replace the Heads of Terms relating to the Lowlands Recreation Ground and in respect of Renewable Energy as detailed in the report.

**RESOLVED:** That the report be noted.

47. **Member Site Visits:**

**RESOLVED:** That Member Site Visits take place on Wednesday 2 September at 5.30 pm to the following sites:

- 48 Lady Aylesford Avenue, Stanmore
- 24 Gordon Avenue, Stanmore
- 224 High Road, Harrow Weald
- Land at Royal National Orthopaedic Hospital, Brockley Hill, Stanmore

48. **Extension of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution) at 9.43 pm a proposal to extend the length of the meeting to enable all business to be heard was moved, seconded and agreed.

**RESOLVED:** That the Committee continue until the end of business on the agenda.

(Note: The meeting, having commenced at 6.30 pm, closed at 10.03 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

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Meeting:	Planning Committee
Date:	9 September, 2009
Subject:	Planning Enforcement
Responsible Officer:	Stephen Kelly, Divisional Director of Planning
Portfolio Holder:	Councillor Marilyn Ashton, Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	Appendix A: Enforcement Scheme of Delegation

## Section 1 – Summary and Recommendations

This report provides an overview of the activities of the planning enforcement team, outlines some of the current work streams aimed at enhancing the service's effectiveness and seeks the Committee's approval of the proposed Enforcement Scheme of Delegation to allow officers to secure compliance with and prosecution of planning and related breaches.

**Recommendation:** Approve the Enforcement Scheme of Delegation attached at Appendix A.

**Reason:** The changes to the scheme of delegation alongside the other actions outlined in this report will serve to improve the effectiveness and efficiency of planning enforcement in Harrow.

## Section 2 – Report

### Background

The effective enforcement of planning regulations goes hand in hand with the proper management of development. As a matter of principle, the Town and Country Planning Act 1990 (“the Act”) seeks to regulate the development and use of land in the public interest. The Act contains detailed provisions that require, inter alia, the grant of planning permissions and related consents before development takes place. The Act allows for proper consultation with interested parties and statutory consultees to ensure that all those with an interest in, or who may be affected by, development, have an opportunity to contribute to the decision making process. It remains for the Local Planning Authority to balance all material planning considerations in determining whether to permit development.

The carrying out of development without first securing planning permission is not in itself a criminal offence. Such development is “unlawful”. Unlawful development may be rendered lawful through either the grant of a retrospective planning permission or by virtue of its “immunity” from action – usually by virtue of elapsed time.

Part VII of the Act confers powers on local planning authorities to take enforcement action in respect of breaches of planning control. Enforcement powers may be invoked where development has been carried out without the requisite grant of planning permission, or a condition imposed on a planning permission has been breached. The Act also provides for special controls such as planning obligations, tree preservation orders and listed buildings. Examples of local planning authorities’ powers include:

- Planning Contravention Notices
- Enforcement notices
- Breach of Condition Notices
- Stop Notices
- Temporary Stop Notices
- Injunctions
- Enforcement of duties as to replacement of trees
- S215 Untidy Site Notices
- Advertisement Discontinuance notices

In London, the Local Planning Authority may also utilise powers granted by virtue of the London Local Authorities Act 1995 to serve a notice requiring removal of an advertisement hoarding and take direct action by entering on the land, removing the hoarding and recover the expenses incurred in doing so.

At present, the Divisional Director of Planning has delegated powers for certain enforcement and advertisement procedures. These powers are set out in Parts 11 and 23 of the Schedule of Delegation dated 2 May 2007. This report seeks authority for an amendment of these powers in the form of the Enforcement Scheme of Delegation attached hereto as Appendix A. If

approved, the Enforcement Scheme of Delegation will be free standing and will be called the Enforcement Scheme of Delegation will be subject to the following provisos:

All decisions must be taken in accordance with the Principles of Delegation which state that “Officers should exercise delegated powers unless, in their opinion, the matter should be decided by Members”. Examples of matter which should be determined by Members include, matters not covered by an approved policy or guidance; those with unusual features; matters which may have political or other significance; or public interest matters.

Where the Chair of the Planning Committee or a Nominated Member requests in writing or by e-mail that the planning breach be reported to Committee, such decision shall not be decided under delegated powers.

In taking any decision, the Divisional Director of Planning must have regard to whether the decision to be taken is within approved expenditure limits, and whether the decision complies with council procedures, financial regulations and contract procedure rules.

These provisos are especially important for matters that will require additional financial resources or have a potential adverse reputational impact on the Council, such as Injunctions, Stop Notices and Temporary Stop Notices.

## **Current situation**

The vast majority of development is carried out in accordance with the “lawful” process set out in the Town and Country Planning Acts; namely permission/consent is sought and then if required, confirmed by the LPA prior to works commencing. To ensure that the integrity of the planning process is maintained, it is important for planning authorities to make provisions for those circumstances where development does not follow this process. Most authorities therefore have dedicated planning enforcement teams to investigate alleged breaches of planning control and ensure that the adverse consequences of the breach are remedied in the most effective way.

Harrow’s planning enforcement team comprises 4 officers, supported by an administrator. The enforcement team carries out some 1100 investigations each year. The number of notified complaints received has increased in recent years. This year the team has received 197 complaints between April and start of July. Through investigation, the team has been able to close some 210 enforcement cases this year (this number includes old and more recent cases). There are around 3000 logged cases at various stages of investigation/action registered on the council’s system. Whilst this figure reflects previous incomplete recording and is under review, the need to focus the resources of the team to maximum effect remains paramount.

To enable day-to-day delivery of the service, the Council has delegated certain powers to nominated officers to enter land, investigate breaches and instruct the Council’s solicitor in the service of statutory notices. This reflects

practice across the Country, and underpins the requirements for a responsive and effective investigative service.

The activities of Harrow's enforcement team have been reported on a monthly basis to the planning committee by way of an "enforcement grid." This provides some information on the activities of the team, but not all. Feedback from members suggests that the value of the enforcement grid as a means of effectively monitoring enforcement activity is limited by the format and by the level of information provided within these reports.

## **Effective enforcement**

Members have made clear their commitment to effective enforcement. In recent years, as the enforcement workload has grown the enforcement team has struggled to keep up with rising demand for investigations, action and compliance. Notwithstanding the recent down turn in development activity, changes in "permitted development" and the rise of unauthorised (and potentially lucrative) conversions have placed increasing pressure on the service. Moreover, it is clear from the published enforcement grid that there is a backlog of work associated with securing compliance with enforcement and related notices, through action and/or prosecution.

The large number of enforcement notices that await prosecution for non compliance and the increasing number of investigations requiring formal action points to an increasing cynicism amongst offenders around the effectiveness of the enforcement service in Harrow. In recent years successive reviews of planning enforcement by government have highlighted significant discrepancies in practice between local authorities. Additional provisions, such as the introduction of powers to stop work immediately in specific circumstances have been introduced. Case law and further clarification through Inspector's decisions on the scope of compensation payments in the event of issuing stop notices, have also served to re-affirm government's commitment that LPAs make full use of the legislative provisions in the public interest.

In response officers are undertaking a review of the enforcement activities and processes and have identified a number of work streams that, based upon best practice, would serve to improve the effectiveness and public confidence in the planning enforcement regime. These include:

- More effective system for recording and monitoring investigations
- A clear policy on the prioritisation and approach to planning enforcement
- Improved communication with complainants and offenders through the use of IT
- Improved monitoring information to members
- Improved information on planning matters to reduce "accidental" breaches
- Clearer planning permissions and conditions
- Greater collaboration between legal and planning officers
- Streamlined processes for securing compliance with statutory notices
- Effective prosecution of breaches of control

- Cross departmental working on evidence gathering and support for unauthorised development to allow quick remedy.

The majority of the work streams being pursued will be delivered using the resources of the existing Division and are being overseen by the Divisional Director for Planning, and the Director of Legal and Governance Services. Resources for 2009/10 have also been identified to improve the Council's ability to undertake works to secure compliance with enforcement notices.

## **Enforcement Policy**

To allow consistent and effective management of the rising demand for investigations and the need for effective action to secure compliance, officers will be reviewing the current enforcement policy. A revised policy will set out more fully how the service will prioritise and respond to specific types of breach and will contain information for complainants and offenders on the enforcement process. The policy will be widely published and placed centrally within the decision making process. The policy will allow resources to be more clearly focused on Council priorities and will assist officers and members in communicating the Council's commitment to planning enforcement and in managing the expectations of the community. It is expected that the revised document will be brought to the Planning Committee for consideration, in January 2010.

## **Scheme of delegation**

To address the need for a quicker and more effective response to breaches of planning control, and in line with practice elsewhere in the country, officers are seeking to amend the current scheme of officer delegation from the Council. The ability of officers to use all statutory provisions of the Planning Acts, to issue notices, prosecute, undertake action in default of a notice, carry out works under the London Local Authorities Act 1995 and to secure injunctions against harmful activity is considered to be an important part of demonstrating Harrow's commitment to effective enforcement. The proposed revision to the scheme of delegation therefore seeks to provide delegated power to the Corporate Director – Place Shaping and Divisional Director of Planning to authorise the Director of Legal and Governance Services to do the following:

1. Prosecution for non compliance with all notices served pursuant to Parts VII and VIII of the Town and Country Planning Act 1990 (as amended), e.g. Enforcement Notices, Breach of Condition Notices and Untidy Site Notices
2. The service of temporary stop notices and stop notices.
3. To take all necessary steps to facilitate the carrying out of works required by an enforcement notice where the notice has not been complied with
4. To take all necessary steps to facilitate the carrying out of works required by an Untidy Site notice under S215 of the Act where the notice has not been complied with

5. The service of a discontinuance notice under regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007
6. The taking of direct action by the Council entering land, removing advertisement hoardings and recover the expenses incurred in doing so pursuant to the London Local Authorities Act 1995.
7. Securing injunctions against breaches of planning control under section 187B of the Act

In parallel with the changes to the scheme of delegation, the appended schedule introduces a reporting requirement to the committee that ensures that the Planning Committee are made aware of any circumstances where the powers above have been exercised by officers, quarterly. It is important to note that prosecution of breaches, and the carrying out of action in default, is discretionary. The merits of such actions will vary on a case-by-case basis along with the liabilities of the Council. It will be for the officers to consider both the Council's and the public interest served by such action on a case-by-case basis. The decision will be informed by a report in substantially the same format as a committee report, and will contain all the information on the breach and will consider the expediency of taking action, where this is statutorily required.

In due course, this approach will be reflected in the revised enforcement policy, which will be subject to public consultation. In the meantime, given the need to resolve a number of longstanding breaches, delegated powers will be exercised by the Divisional Director of Planning and overseen by the Director of Legal and Governance and Finance as all reports for delegated authority will be legally and financially cleared.

## **Other Options Considered**

Consideration of alternative to wider delegated powers was undertaken. This included the calling of special planning committee meetings or the use of urgent member decision making process. The options were rejected because of the organisational difficulties associated with the calling of committee meetings at short notice.

The use of urgent member decision making was also rejected in consultation with the Portfolio Holder because of the significant burden placed upon individual nominated members and the risk of inappropriate lobbying of elected members associated with such a process.

The wider review of enforcement services encompasses consideration of a range of options to improve efficiency and effectiveness, and is ongoing.

## **Conclusion**

The effective enforcement of planning control is a priority for the new Place Shaping Directorate and the new Planning Division. This reflects the desire of the community and members to ensure that the planning system operates



with integrity. Given the legacy of outstanding investigations and the need to deliver a responsive, efficient and cost effective service, officers are engaging a wide-ranging review of current activities. This has identified a number of areas for improvement and change that will seek to reduce accidental breaches of control, allow more effective engagement with all parties where a breach takes place and ensure that resolution of breaches is secured with consistency and resilience.

Alongside proposed action to secure compliance with outstanding notices, officers will be continuing to engage with members to ensure that the development of the above principles improves the integrity and effectiveness of Harrow's planning service so that it can continue to contribute to the Community Strategy objectives and reflect corporate priorities.

## **Financial Implications**

The operational and process changes outlined in the report will be carried out from existing revenue budgets within Place Shaping and Legal Services. In respect of the carrying out of works in default, up to £25,000 has been set-aside within 2009/10 for the implementation of such works if required from the Place Shaping Capital programme.

Specific financial risks associated with each enforcement case will be considered on a case-by-case basis, along with potential measures to mitigate such impacts.

The changes to the scheme of delegation itself may shorten Planning Committee meetings and members' briefings and save on officer time.

## **Risk Management Implications**

The proposed programme of changes to planning enforcement will improve management of risks through the transparent and effective operation of the statutory planning regime in the Borough. Specific risks associated with the delegation of decision making to officers will need to be assessed on a case-by-case basis, having regard to the specific circumstances prevailing. Each report authorising use of the provisions above will be accompanied by a risk assessment that identifies all specific risks attributable to the action and the mitigation measures proposed.

## **Legal Implications**

Most of the enforcement powers conferred on local planning authorities may have legal repercussions when they are exercised; Enforcement Notices may be appealed, Injunctions may be defended and compensation may be sought if stop notices are issued. Certain actions such as the issuing of stop notices have a higher risk of costs implications for the Council, but this risk is theoretically comparable whether the decision to issue such a stop notice is made by the Planning Committee or by the Divisional Director of Planning under delegated powers. To mitigate this risk any decision to issue such notices should be informed by a report containing correct and well reasoned

information and cleared by the Director of Finance and the Director of Legal and Governance Services.

### **Section 3 - Statutory Officer Clearance**

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 28 August 2009		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 26 August 2009		

### **Section 4 - Contact Details and Background Papers**

Contact: Stephen Kelly, Divisional Director – Planning, Ext 6149

#### **Background Papers**

Approved Scheme of Delegation to Director of Planning dated May 2007

#### **APPENDIX**

A – Proposed Enforcement Scheme of Delegation.

# **Appendix A**

## **Enforcement Scheme of Delegation**

### **Harrow Council Planning Committee**

DELEGATION TO THE

DIVISIONAL DIRECTOR OF PLANNING

9 September 2009

#### *Enforcement Services*

The Divisional Director of Planning (or Corporate Director- Place Shaping where specifically mentioned) is authorised specifically to act in exercise of the functions of the Planning Committee in respect of the planning enforcement matters covered in this scheme of delegation subject to the restrictions and conditions indicated:

#### *Provisos*

This delegated authority will be subject to the following provisos:

- A) All decisions must be taken in accordance with the Principles of Delegation which state that "Officers should exercise delegated powers unless, in their opinion, the matter should be decided by Members". Examples of matters which should be determined by Members include matters not covered by an approved policy or guidance; those with unusual features; matters which may have political or other significance; or public interest matters.
- B) Where the Chair of the Planning Committee or a Nominated Member request **in writing or by email** that the application be reported to the Committee, such application shall not be decided under delegated powers;
- C) In taking any decision, the Divisional Director of Planning must have regard to whether the decision to be taken is within approved expenditure limits, and whether the decision complies with council procedures, financial regulations and contract procedure rules.
- D) Any decision on taking enforcement action in terms of this Enforcement Scheme of Delegation shall be recorded on the quarterly enforcement grid and reported to Planning Committee
- E) These provisos are particularly important for matters that will require additional financial resources or have a potential adverse impact on the Council's reputation, such as Injunctions, Stop Notices and Temporary Stop Notices.

1) **Enforcement (General)**

Planning Contravention Notices

- a) To issue and serve Planning Contravention Notices pursuant to Section 171C of the Town and Country Planning Act 1990 in respect of alleged breaches of planning control,
- b) To instruct the Director of Legal and Governance Services to take legal proceedings for offences under Section 171D of the Town and Country Planning Act 1990 in respect of failure to comply with the requirements of a Planning Contravention Notice.
- c) To consider any offer or representations which the recipients of a Planning Contravention Notice may wish to make regarding any alleged breach of control.

Section 330 Notices and s16 notices

- d) To authorise the issue and service, by the Director of Legal and Governance Services, of notices under Section 330 of the Town and Country Planning Act 1990 and notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- e) To instruct the Director of Legal and Governance Services to take legal proceedings for offences under Section 330(4) and (5) of the Town and Country Planning Act 1990 and section 16 (2) of the Local Government (Miscellaneous Provisions) Act 1976 in respect of failure to comply with the requirements of a section 330 notice and section 16 notice, respectively.

Breach of Condition Notices

- f) To authorise the issue and service, by the Director of Legal and Governance Services, of Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990 in respect of alleged breaches of planning condition (s).
- g) To authorise the withdrawal, by the Director of Legal and Governance Services, of Breach of Condition Notices under section 187A (6) of the Town and Country Planning Act 1990.
- h) To instruct the Director of Legal and Governance Services to commence legal proceedings for offences under Section 187A (8) and (9) of the Town and Country Planning Act 1990 in respect of failure to comply with the requirements of a Breach of Condition Notice.

Enforcement Notices

- i) To authorise the issue and service, by the Director of Legal and Governance Services, of Enforcement Notices under section 172 of the Town and Country Planning Act 1990 in respect of alleged breaches of planning control.
- j) To authorise the variation or withdrawal, by the Director of Legal and Governance Services, of Enforcement Notice (s) under section 173A of the Town and Country Planning Act 1990.
- k) To take direct action (following consultation with the Director of Legal and Governance Services) under section 178 of the Town and Country Planning Act 1990 by entering the land, subject of an extant Enforcement Notice, and taking the steps required to remedy the breach of planning control as set out in the notice.

- l) To instruct the Director of Legal and Governance Services under section 178 (1)(b) of the Town and Country Planning Act 1990 to recover the expenses reasonably incurred by the Council in taking direct action to secure compliance with an Enforcement Notice.
- m) To instruct the Director of Legal and Governance Services to take legal proceedings for offences under Section 179 of the Town and Country Planning Act 1990 in respect of a failure to comply with the requirements of an Enforcement Notice.

Section 215 Notices

- n) To authorise the issue and service, by the Director of Legal Services, of Notices under Section 215 of the Town and Country Planning Act 1990 for remedying the condition of land, and to take any subsequent direct action to carry out the works in default.
- o) To instruct the Director of Legal and Governance Services under section 219 (1)(b) of the Town and Country Planning Act 1990 to recover the expenses reasonably incurred by the Council in taking direct action to secure compliance with a section 215 Notice.
- p) To instruct the Director of Legal and Governance Services to take legal proceedings for offences under Section 216 of the Town and Country Planning Act 1990 in respect of a failure to comply with the requirements of a section 215 Notice.

Injunctions

- q) The Corporate Director – Place Shaping shall authorise the Director of Legal and Governance to take Injunctive action under Section 187B of the Town and Country Planning Act 1990, Section 222 of the Local Government Act 1972, Sections 9 and 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Section 214A of the Town and Country Planning Act 1990 in exercise of the Council's functions as a Local Planning Authority.

Temporary Stop Notices and Stop Notices

- r) To authorise and instruct the Director of Legal and Governance Services to:
  - i) Issue and serve temporary stop notices and stop notices under sections 171E and 183 of the Town and Country Planning Act 1990;
  - ii) Commence legal proceedings for offences under sections 171G and 187 of the Town and Country Planning Act 1990 in respect of temporary stop notices and stop notices.

Right of Entry

- s) To exercise the Council's functions as Local Planning Authority in relation to the provision of written authority for officers carrying out the inspection of properties in connection with enforcement matters under Part VII of the Town and Country Planning Act 1990

**2) Tree Preservation**

- a) The Divisional Director of Planning may exercise the Council's functions in relation to applications for consent to the cutting down, topping, lopping, or destruction of trees subject to Tree Preservation Orders and the provisions of Sections 211-214 of the Town and Country Planning Act 1990 (trees in conservation areas not protected by a Tree Preservation Order), except where the Divisional Director of Planning considers that a refusal of consent may involve the payment of significant compensation.

- b) The Divisional Director of Planning may authorise proceedings in relation to unauthorised works on unprotected trees in conservation areas and trees subject to a Tree Preservation Order.

### **3) Advertisements, Listed Buildings, Conservation Areas and Areas of Special Control**

The Divisional Director of Planning may exercise the Council's functions in relation to conservation areas, listed buildings and areas of special control that have been designated and defined by the Council or Cabinet under the Town and Country Planning Act 1990 and / or the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 respectively.

Such functions are to include the following:

#### ***Advertisement Consent applications & Advertisement Controls:***

- (a) To exercise the Council's functions in relation to applications for consent and enforcement under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the London Local Authorities Act 1995.
- (b) To authorise or instruct the Director of Legal and Governance Services to:
  - i) issue and serve all notices and commence all associated procedures contained within Part III of the London Local Authorities Act 1995
  - ii) issue, serve, vary or withdraw discontinuance notices in accordance with Regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;
  - iii) commence legal proceedings for offences under section 224 of the Town and Country Planning Act 1990;
  - iv) recover expenses reasonably incurred in securing compliance with any notice served under Part III of the London Local Authorities Act 1995
- (c) To take direct action (following consultation with the Director of Legal and Governance Services) to secure compliance with any notice served under Part III of the London Local Authorities Act 1995.

#### ***Listed Buildings***

- d) To authorise the Director of Legal and Governance Services to issue and serve, Building Preservation Notices and Emergency Building Preservation Notices under sections 3 and 4 of the Planning (Listed Buildings and Conservation Areas) Act 1990 .
- e) To authorise the Director of Legal and Governance to issue and serve Urgent Works Notices in respect of Listed Buildings in accordance with section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to recover expenses reasonably incurred carrying out urgent works under section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- f) To authorise the Director of Legal and Governance to issue and serve Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- g) To instruct the Director of Legal and Governance Service to commence legal proceedings for offences under sections 9 and 43 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Please Note:**

**References to the Town and Country Planning Act 1990 and associated references should be read as including the relevant sections of the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008.**

**Stephen Kelly  
Divisional Director of Planning**

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Meeting:	Planning Committee
Date:	9 September 2009
Subject:	Planning Committee Site Visit Procedure Note
Responsible Officer:	Stephen Kelly – Divisional Director Planning
Portfolio Holder:	Councillor Marilyn Ashton – Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	Procedure Note: Member Site Visits for Planning Applications and Main Agenda Items Deferred by Planning Committee

## Section 1 – Summary and Recommendations

This report proposes changes to the procedure note on Planning Committee site visits. The principle change is to allow officers to initiate Planning Committee site visits ahead of the consideration of the item by the Planning Committee where, in the opinion of the Divisional Director of Planning, the consideration of the application by the Planning Committee would be assisted by an accompanied site inspection. The procedure note has also been revised to clarify potential ambiguity in the current drafting.

**Recommendations:** The Committee is requested to endorse the amendments to the Procedure Note: Member Site Visits for Planning Applications and Main Agenda Items Deferred by Planning Committee as set out in the report and the Appendix.

**Reason:** The amendments proposed would support the aspirations of the council for effective and efficient decision making processes and will improve the quality of the experience for those interested parties attending planning committees. It will also ensure sound and consistent decision making.

## Section 2 – Report

### Background

Decisions on planning applications are made by the Council as Local Planning Authority (LPA), in one of two ways; either the decision is delegated to a nominated officer of the Council under a scheme of delegation (delegated decisions) or the decision is made by the planning committee (committee decisions).

In April 2009, the Council combined the former Strategic Planning Committee and Development Management Committee meetings into a single, monthly meeting. The operation of the Planning Committee meeting itself is governed by a set of “standing orders.” In addition, to ensure a consistent and transparent approach to committee decisions, certain activities carried out by the Planning Committee are operated to a published protocol

The government has encouraged Councils to determine planning applications for non controversial and smaller scale proposals through appropriate schemes of delegation. The majority of decisions in Harrow, 93%, are made in this way. For more complex or potentially controversial cases, or where the determination raises issues of significance for planning policy, decisions are made by the Planning Committee.

### Planning Committee

Planning Committees are, for the most part, public meetings. In the case of complex or controversial developments, members of the public are welcome and frequently attend to make deputations, address the committee and observe the debate. Planning Committee decisions involve a wide range of parties and represent a significant time commitment for all parties.

In examining planning proposals, particularly more complex proposals, the Committee members rely on the published information, including an officer’s report, and personal knowledge of a site. Some members make unaccompanied informal site visits to familiarise themselves with specific elements prior to a meeting. The use of informal site visits is dealt with at paragraph 4.3 of the adopted protocol.

In the event that the member is not able to fully examine the site circumstances through this informal site visit, they are able to ask for an accompanied site visit prior to a decision being taken. Requests for site visits can currently only be made at the committee meeting when applications are presented and are decided by way of a majority vote of the committee. There is no mechanism to enable members to raise this request before an application appears at the Planning Committee for a decision. Where the committee accepts a member’s request for a site visit, the item must be deferred to allow for the visit and no further consideration may take place at the meeting.

The deferral of planning applications to allow for a site visit introduces delay in the decision making process and requires all those with an interest in the consideration of the application to return to a later meeting of the planning committee. The Council provides that the planning committee may only receive verbal deputations and comments, in line with the process for public speaking on an item once.

Members have indicated a willingness to suspend the provisions in this respect where a decision has been deferred to allow for a site visit to take place. However, there is no automatic provision for this event and indeed, not all speakers are available for subsequent meetings.

For the above reasons, officers consider that there is some merit in making provision for the Divisional Director of Planning to identify and nominate planning applications for an accompanied site visit by the committee ahead of the meeting of that committee. This would allow the committee the opportunity to inspect the site and understand the proposal in detail ahead of receiving deputations and representations. The need to defer and re-schedule the consideration of the item, with consequent inconvenience to the applicant, interested members of the public and Councillors, would also be avoided. Planning Committee agendas might also be shortened in specific cases. Confidence, of the development sector, the community and Councillors through the shared understanding of site conditions that each planning committee member would have at the earliest point in the committee process would be improved.

### **Current situation**

The current arrangements for site visits are derived from an adopted protocol. The proposal to allow the Director of Planning to nominate formal site visits for certain applications would not replace or subvert members' opportunity to seek deferral of any item where a site visit has not already take place, at the meeting itself. Attendance at site visits is not compulsory for any committee member and does not bar any member of the Planning Committee from voting on any item. It is for each Councillor on the committee to satisfy themselves that they are able to make an informed decision based upon the information that they have available to them at that time.

### **Proposed Changes**

In addition to the amendment of clause (a) to the procedure note (please see Appendix A) consideration was given to the provision for individual members to nominate site visits ahead of a meeting. This was rejected in the interest of ensuring effective management of the process. Members would be able to discuss with officers their reasons for a site visit ahead of the meeting or would be able to seek deferral of an item through the current provisions. Consideration of the use of nominated members for such requests was also rejected on the basis that regular dialogue with nominated members and officers would make such a provision unnecessary. Furthermore, the provisions could place additional burdens on the nominated members by third parties seeking the exercise of this provision.

### **Financial Implications**

The potential for early site visits, as opposed to deferral of items to subsequent meetings has potentially positive implications for both direct (Council) and indirect (applicants and interested parties) costs associated with determination of applications by the committee.

## Risk Management Implications

The proposed changes to the standing orders and code of practice are not considered to result in any new risks being created to either the statutory planning processor or the welfare of officers or Committee members.

### Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 28 August 2009		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 26 August 2009		

### Section 4 - Contact Details and Background Papers

Contact: Stephen Kelly, Divisional Director Planning, ext 6106

Background Papers:

- Killian Pretty Review 2009
- Protocol for Members and Reserve Members when Dealing with Planning Applications and Lobbying

Appendix

- A** PROCEDURE NOTE:MEMBER SITE VISITS FOR PLANNING APPLICATIONS AND MAIN AGENDA ITEMS DEFERRED BY PLANNING COMMITTEE AND OTHER PLANNING APPLICATIONS. September 2009

## HARROW COUNCIL

### PROCEDURE NOTE: MEMBER SITE VISITS FOR PLANNING APPLICATIONS AND MAIN AGENDA ITEMS DEFERRED BY PLANNING COMMITTEE AND OTHER PLANNING APPLICATIONS

#### Notes:

- (a) The purpose of a site visit is to allow Members of the Planning Committee to inspect the sites of deferred planning applications or main agenda items, or other applications where in the opinion of the Divisional Director of Planning an inspection would be appropriate, accompanied by a Planning Officer(s).
- (b) Site visits are intended to:
  - be fact finding exercises
  - enable officers to point out relevant features
  - enable questions to be asked on site for clarification
- (c) Site visits are not part of the formal consideration of the application and therefore public rights of attendance by neighbouring residents or other parties do not apply (*but see Note (d) below*)
- (d) A site visit will only include a visit to the application site. If a visit to an adjacent site is considered necessary this should be agreed by the Committee when the date for the site visit is selected.
- (e) Members are advised against making their own arrangements to visit applicants or objectors as they may prejudice their ability to take part in the decision-making process, or even the validity of the subsequent decision.

#### Procedure:

1. **Prior to the Site Visit**
  - 1.1 Following the decision to defer an application or agenda item for a site visit the Committee will agree (normally) a date at the end of the meeting.
  - 1.2 In cases where the Divisional Director of Planning nominates a planning application for a site visit, this will usually take place on the same day as the date agreed in 1.1.
  - 1.3 Where no such date is set in accordance with 1.1 (or where there is not enough time to undertake all the site visits agreed in accordance with 1.1 or nominated in accordance with 1.2 above), the Divisional Director of Planning will, nominate a date for a site visit to take place and shall agree with the nominated members the date and time for the site visit. Where agreement on a date for the site visit cannot be reached, the date and time shall be determined at the next available planning committee meeting.
  - 1.4 The Planning Officer will advise the applicant's agent (or applicant where there is no agent) of the details of the site visit, enclosing a copy of this guidance note.
  - 1.5 Where the applicant is not the owner of the site, he / she will be asked to advise the owner and arrange access (if required) directly with the Owner.

- 1.6 The Committee Clerk will confirm the site visit arrangements in writing to Members and Officers – this may include the provision of a minibus and driver, starting from the Civic Centre, depending on the number and location of the visits and particular access requirements.  
If necessary, Members are free to make their own arrangements to meet at the site.

2. **The Site Visit**

- 2.1 On arrival at the application site the Planning Officer will contact the owner or agent to advise of the start of the visit.
- 2.2 The Planning Officer will explain the submitted plans and proposals in relation to the site and any relevant neighbouring land.
- 2.3 The Planning Officer may ask the applicant / agent to explain any discrepancies between the drawings and what is seen on the site.
- 2.4 The Planning Officer may also ask the applicant / agent to point out particular features within or adjacent to the site, or to explain aspects of the proposal, but only as an aid to the explanation.
- 2.5 Members may seek clarification from the Officer on matters relevant to the site inspection.
- 2.6 However, Members and Officers should not enter into a debate with the applicant / agent (or with any third party – for example, a neighbouring resident) on the merits of the application, or on possible amendments to the proposals if Members have any concerns or suggestions.
- 2.7 Members may, of course, express concerns to the attending Planning Officer, but such concerns would only be informal in nature and should not be discussed on site with the applicant / agent or any third party.
- 2.8 Amendments to a proposal should only arise following subsequent discussion between the Planning Officers and the applicant / agent or from an instruction from the Committee.

Updated September 2009 by Planning Committee



Meeting:	Planning Committee
Date:	9 <sup>th</sup> September 2009
Subject:	69 Elm Park, Stanmore
Responsible Officer:	Stephen Kelly – Divisional Director Planning Services
Portfolio Holder:	Councillor Marilyn Ashton – Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	None

## Section 1 – Summary and Recommendations

The Applicant, Dr Ralph Abrahams has applied under Council reference P/0281/09 to vary the condition imposed on permission P/1386/08/DFU to permit,

*“the number of general practitioners, qualified medical advisors and nursing staff seeing and consulting with patients within the surgery at any one time to be limited to three”.*

The Committee resolved to grant permission for the variation and also to vary the existing section 106 Agreement. Both the condition and the s106 Agreement seek to control the number of medical practitioners consulting with patients at any one time, which results in unnecessary duplication.

### **Recommendation:**

The Committee is requested to:

1. Remove condition 1 on planning permission P/1386/08/DFU /

LBH/36494.

2. Authorise a variation of the section 106 Agreement signed on 27 August 2008, increasing the number of medical practitioners from two to three.

**Reason:** In accordance with Circular 05/05, the imposition of the condition along with the requirement to enter into a s106 Agreement creates unnecessary duplication. The section 106 Agreement offers the LPA wider control over the use of the premises than the currently drafted condition.

## Section 2 – Report

### Circumstances

On the 24<sup>th</sup> June 2009, the Planning Committee resolved to grant planning permission for the variation of condition 7 of planning permission LBH/36494 to allow the number of general practitioners, qualified medical advisors and nursing staff seeing and consulting with patients within the surgery at any one time to be limited to three. The Committee (by an Urgent Non-Executive Decision dated 30 July 2009) also resolved to vary an obligation within the existing section 106 Agreement dated 27 August 2008, which would increase the number of medical practitioners from two to three.

However, the condition and the s106 Agreement will in effect produce a similar requirement, the restriction of the number of medical practitioners consulting with patients to three.

On the 15<sup>th</sup> July 2008 the Committee resolved to grant permission (ref P/1386/08) for the variation of condition 7 of planning permission LBH/36494 to allow two doctors to practice on the premises. In addition a section 106 Agreement was entered into on similar terms. However, having looked at the issue in detail in relation to this application, there is no further need for both the condition and the s 106 Agreement.

Paragraph B51 of Circular 05/05: Planning Obligations, states that ‘an obligation should not be entered into which requires compliance with conditions imposed on a planning permission. Such obligations entail unnecessary duplication and could frustrate a developer’s right of appeal’. As the obligation within the legal agreement has a wider scope of control and seeks to control the number of general practitioners, qualified medical advisors and nursing staff consulting with patients at any one time, this would better control the level of use at the property, as opposed to controlling the number of doctors employed at the property through the use of a condition. It is therefore considered that the obligation better controls the level of use at the property and that the condition on the planning permission should be removed to avoid unnecessary duplication.



## Action Sought

The committee have resolved to grant planning permission for the variation of condition and have therefore confirmed that the use of the premises for three doctors to practice concurrently is acceptable. For the reasons given above, the Committee are requested to agree to the removal of the condition on the planning permission, as this requirement would be better controlled under the section 106 Agreement.

## Section 3 – Further Implications

### Legal implications

The removal of the condition will not result in any additional risk to the Council. Control over the use of the property and the number of medical practitioners will be maintained through the section 106 Agreement.

## Section 4 - Financial Implications

The applicant will bear the costs of varying the s.106 agreement. All costs relating to the variation will be borne by the applicant and the Council will not incur any costs.

## Section 5 - Statutory Officer Clearance

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 24 August 2009		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 18 August 2009		

## Section 6 - Contact Details and Background Papers

Contact: Nicholas Ray, Planner – East Minor Team, telephone:  
02087366187

Background Papers:

- Section 106 Agreement dated 27 August 2008
- Initial draft decision notice (ref P/0281/09)

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Corporate Priorities	NO

**CURRENT APPEALS**

WRITTEN REPRESENTATIONS							
Appellant/Appeal Location/Ward	LPA Ref: PINS Ref: Planner	Appeal Description	Questionnaire Due/Sent	Statement Due/Sent	Final Comments Due/Sent	Site visit Date/Time	Notes
Mr & Mrs Sarma 31 Cannonbury Avenue Pinner Middlesex Ward: Pinner South	ENF/0077/08 /P/4030 APP/M5450/C /09/2103035 & 2103036	WITHOUT PLANNING PERMISSION, THE ERECTION OF A REAR CONSERVATORY ATTACHED TO A PRE-EXISTING SINGLE STOREY EXTENSION	Sent 11.08.09	Due 08.09.09			
Mr Ramesh Kerai 3 Aylmer Drive Stanmore Middlesex Ward: Stanmore Park	P/3932/08/ 4032 APP/M5450/A/ 09/2109297	SINGLE/TWO STOREY DETACHED HOUSE WITH BASEMENT AND ROOMS IN ROOFSPACE; EXISTING GARAGE TO BE RETAINED (REVISED)	Sent 19.08.09	Due 16.09.09			
Mr & Mrs Davis 76 Kynance Gardens Stanmore Middlesex HA7 2QL Ward: Belmont	P/0605/09/ 4035 APP/M5450/A /09/2110900 FOD	SINGLE / TWO-STOREY SIDE EXTENSION, SINGLE STOREY FRONT AND REAR EXTENSIONS INCORPORATING FRONT PORCH	Due 02.09.09	Due 30.09.09			
Mr Danesh Hirji 80 Kenmore Avenue Harrow HA3 8PN Ward: Kenton West	P/4037/08 /4036 APP/M5450/A/ 09/2111080 ML	SINGLE/TWO STOREY SIDE TO REAR EXTENSION TO FORM NEW ATTACHED DWELLINGHOUSE, SINGLE/TWO STOREY REAR EXTENSION TO EXISTING HOUSE AND REAR DORMER	Due 03.09.09	01.10.09			

## CURRENT APPEALS

Appellant/Appeal Location/Ward	LPA Ref: PINS Ref: Planner	Appeal Description	Questionnaire Due/Sent	Statement Due/Sent	Hearing Date	Venue	Notes
Mr Ash Vekaria 157 Wemborough Road Stanmore Middlesex Ward: Belmont	P/0782/09 /4037 APP/M5450/D /09/2111026 NR	TWO STOREY EXTENSION TO BOTH SIDES, SINGLE STOREY REAR EXTENSION, FRONT PORCH, RAISED PATIO AT REAR	Due 26.08.09	N/A - Householder Appeal Service			
<b>HEARINGS</b>							
W E Black LTD 33-34 Pinner Park Gardens Harrow Middlesex Ward: Headstone North	P/0264/09 /4003 APP/M5450/A /09/2105077 GL	DEMOLITION OF 33 - 34 PINNER PARK GARDENS AND CONSTRUCTION OF THREE PAIRS OF SEMI-DETACHED HOUSES; FORMATION OF ACCESS ROAD; PARKING AND GARAGES	Due 16.06.09	Due 14.07.09	08.09.09	Churchill Place Meeting Room	
Mr James McConnell Raebarn House 100 Northolt Road Harrow HA2 0YJ Ward: Roxbourne	P/0221/09 /4010 APP/M5450/A /09/2105312 SB	CHANGE OF USE OF 460 SQUARE METRES OF FIRST FLOOR OFFICE FLOOR SPACE TO EIGHT FLATS	Due 19.06.09	Due 17.07.09	29.09.09	Council Chamber	

## CURRENT APPEALS

Appellant/Appeal Location/Ward	LPA Ref: PINS Ref: Planner	Appeal Description	Questionnaire Due/Sent	Rule 6 Statement Due/Sent	Inquiry Date	Venue	Notes
Mr & Mrs T.J. Goodger 40 Winscombe Way Stanmore Middlesex HA7 3AU  Ward: Stanmore Park	P/3695/08 /4033  APP/M5450/A /09/2110346	SINGLE STOREY REAR AND TWO STOREY SIDE TO REAR EXTENSION; SINGLE STOREY FRONT AND SIDE EXTENSION  INCORPORATING FRONT PORCH; RAISED RIDGE HEIGHT TO PROVIDE ACCOMMODATION IN ROOF; BASEMENT; ALTERATIONS TO GARDEN LEVELS; NEW PATIO	Due 26.08.09	Due 23.09.09	TBA		
<b>INQUIRIES</b>							
Manji Keshra Hirani 132 Turner Road Edgware Middlesex HA8 6BH  Ward: Queensbury	ENF/0052/08 /P/4034  APP/M5450/C /09/2107186	UNAUTHORISED USED OF THE HOUSE AS TWO FLATS	Due 01.09.09	Due 29.09.09	TBA		

## APPEALS AWAITING DECISION

WRITTEN REPRESENTATIONS							
Appellant/Appeal Location/Ward	LPA Ref: PINS Ref: Planner	Appeal Description	Questionnaire Sent	Statement Due/Sent	Final Comments Sent?	Site visit Date/Time	Notes
Mrs Neeta Gokal 23 Jellicoe Gardens Stanmore Middlesex (Ward: Stanmore Park)	P/2848/08 /3927  APP/M5450/A /08/2089908  NR	SINGLE STOREY REAR EXTENSION (REVISED)	Sent 09.12.08	N/A - Questionnaire forms case.			
Miss N & S Arian 29 Carlton Avenue Harrow HA3 8AX (Ward: Kenton West)	P/3153/08 /3935  APP/M5450/A /08/2092766  TEM	RETENTION OF CONVERSION OF DWELLINGHOUSE INTO TWO FLATS AND PROPOSED SINGLE STOREY REAR EXTENSION AND DEMOLITION OF SIDE GARAGE	Sent 20.01.09	Sent 20.01.09 (Q)			
Ballards Mews High Street Edgware	APP/M5450/C /09/2095091  ENF/0095/07 /P/3947  SSB	WITHOUT PLANNING PERMISSION, THE INSTALLATION OF TWO EXTRACT FLUES IN THE ROOF OF THE WORKSHOP BUILDING SITUATE ON THE LAND	Sent 11.02.09	N/A - Questionnaire forms case.			
Mrs N Siddiqui 85 Greenway Pinner HA5 3SN (Ward: Pinner)	APP/M5450/A/ 09/2096075  P/2432/08 /3949  HG	RETENTION OF SINGLE STOREY SIDE TO REAR EXTENSION	Sent 11.02.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Mr Mohammed Rafeek Zubair 52 Adderley Road Harrow Middlesex HA3 7HT	APP/M5450/C /2092986  ENF/0293/07 /P/3952  SSB	WITHOUT PLANNING PERMISSION, THE ERECTION OF A SINGLE STOREY CONSERVATORY STYLE EXTENSION ON THE LAND	Sent 23.02.09	N/A - Questionnaire forms case.			
Mr G.C Williams 76 Eastern Avenue Pinner Middlesex HA5 1NJ  (Ward: Pinner South)	APP/M5450/A /09/2096052  P/3426/08 /3958  MT	SINGLE AND TWO STOREY SIDE TO SINGLE STOREY REAR EXTENSION	Sent 02.03.09	N/A - Questionnaire forms case.			
Mr & Mrs M A Siddiqui 85 Greenway Pinner HA5 3SN  Ward: Pinner	ENF/0228/08/ P/3978	UNAUTHORISED ERECTION OF AN OPEN-ENDED CANOPY/ROOF PROJECTION FORMING PART OF A SINGLE STOREY SIDE TO REAR EXTENSION	10/04/2009	N/A - Questionnaire forms case.			
Mrs Stella Baum 11 Wychwood Avenue Edgware HA8 6TL  Ward: Canons	P/2618/08/ 3980	SINGLE STOREY FRONT EXTENSION AND CONVERSION OF GARAGE TO HABITABLE ROOM	20/04/2009	N/A - Questionnaire forms case.			
Mr David Levey Heriots Wood The Common Stanmore Middlesex  Ward: Stanmore Park	P/2684/08 /3983  APP/M5450/A /09/2100542  ML	RETENTION OF 25M HIGH AERIAL MAST AND HORIZONTAL BEAM ANTENNA	Sent 08.05.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Mr Ashwin Patel 35A Gordon Avenue Stanmore HA7 3QQ Ward: Stanmore Park	P/3807/08 /3985  APP/M5450/A/ 09/2101895  FOD	PROVISION OF GLAZED BALUSTRADING AND DECKING ON ROOF OF SINGLE STOREY REAR EXTENSION AND USE AS ROOF TERRACE	Due 11.05.09	N/A - Questionnaire forms case.			
Mr M Kanbi The Bungalow Alma Row Harrow Middlesex Ward: Harrow Weald	P/2878/08 /3986  APP/M5450/A /09/2103003  GL	REDEVELOPMENT: CONSTRUCTION OF FIVE TWO-STOREY TERRACED HOMES WITH ACCOMMODATION IN THE ROOF SPACE AND INTEGRAL GARAGES; DEMOLITION OF EXISTING BUNGALOW	Due 13.05.09	N/A - Questionnaire forms case.			
Mr N Amin 33 Kingshill Avenue Harrow HA3 8JT Ward: Kenton West	P/3566/08 /3987  APP/M5450/A /09/2103033  NR	CONTINUED USE OF FORMER DWELLINGHOUSE AS 7 SELF CONTAINED FLATS	Sent 13.05.09	N/A - Questionnaire forms case.			
Mr Jack Ormerod 125a Vaughan Road Harrow HA1 4EF Ward: West Harrow	P/4097/08 /3992  APP/M5450/A /09/2103943  HG	CHANGE OF USE FROM OFFICES TO DWELLINGHOUSE (CLASS B1 TO CLASS C3)	Sent 26.05.09	N/A - Questionnaire forms case.			
Mr Wladyslaw Rolewicz 39 Langton Road Harrow HA3 6QR Ward: Harrow Weald	P/2537/08 /3997  APP/M5450/A /09/2104704  Central	CONTINUED USE OF GARAGE AS HABITABLE SPACE; RETENTION OF THE ENTRANCE PORCH / SINGLE STOREY FRONT EXTENSIONS; EXTERNAL ALTERATIONS	Sent 09.06.09	N/A - Questionnaire forms case.			



## APPEALS AWAITING DECISION

Mr Mukesh 110 Aldridge Avenue Stanmore HA7 1DD Ward: Queensbury	P/3194/08 /3999 APP/M5450/A /09/2104713 East	SINGLE/TWO STOREY REAR EXTENSION	Sent 10.06.09	N/A - Questionnaire forms case			
Dr R De Silva Flat 3 96 Elmsleigh Avenue Harrow HA3 8HZ Ward: Kenton West	P/0442/09 /4000 APP/M5450/A /09/2105016 ML	REAR DORMER AND ROOFLIGHT IN THE FRONT ROOFSLOPE (REVISED)	Sent 11.06.09	N/A - Questionnaire forms case			
Mr Josh Arora 439 Alexandra Avenue Harrow Middlesex HA2 9SE Ward: Rayners Lane	P/2701/08 /3993 APP/M5450/A/ 09/2102437 SB	UPPER GROUND AND LOWER GROUND FLOOR REAR EXTENSION (TWO STOREY EXTENSION WITH SINGLE STOREY PROJECTION), NEW EXTRACT FLUE AT REAR, 6 x AIR CONDITIONING UNITS ON ROOF OF SINGLE STOREY PROJECTION WITH SCREEN AROUND ROOF EDGE	Sent 27.05.09	Sent 24.06.09			
Mr P Sarkari 87 Kenton Lane Harrow Middlesex Ward: Kenton West	ENF/27/06 /P/3994 APP/M5450/C/ 09/2104545 SSB	ENFORCEMENT APPEAL: SINGLE STOREY DETACHED BUILDING USED AS 2 SELF- CONTAINED FLATS.	Sent 27.05.09	Sent 02.07.09			

## APPEALS AWAITING DECISION

Vispasp Sarkari 145 High Street Wealdstone Middlesex HA3 5DX Ward: Wealdstone	ENF/0125/08 /P/3995 APP/M5450/C /09/2104992 SSB	ENFORCEMENT APPEAL: UNAUTHORISED SINGLE STOREY REAR EXTENSION	Sent 01.06.09	Sent 07.07.09			
Mr Terry Daniel 72 Oakington Avenue Harrow HA2 7JJ Ward: West Harrow	P/3904/08 /3996 APP/M5450/A /09/2104306 HG	DEMOLITION OF EXISTING SINGLE STOREY SIDE EXTENSION AND ERECTION OF SINGLE AND TWO STOREY DETACHED HOUSE WITH ASSOCIATED VEHICLE ACCESS AND PARKING	Sent 02.06.09	Sent 30.06.09			
Mr Nick Foster 14 Waxwell Lane Pinner HA5 3EN Ward: Pinner	P/3219/08 /3998 APP/M5450/A /09/2103237 EJ	DETACHED BUILDING AT REAR	Sent 09.06.09	Sent 07.07.09			
West End (Pinner) Lawn Tennis Club Ltd Cuckoo Hill Road Pinner HA5 1AY Ward: Pinner South	P/3872/08 /4001 APP/M5450/A /09/2105014 HG	INSTALLATION OF EIGHT LIGHTING COLUMNS (5 METRES AND 6 METRES HEIGHT) TO COURTS 4 & 5 AT NORTHERN END OF SITE	Sent 12.06.09	N/A - Questionnaire forms case.			
Mr Kinbo Kung 6 Hillview Close Pinner Middlesex HA5 4PD Ward: Hatch End	P/4091/08 /4005 APP/M5450/A/ 09/2104687 GL	SINGLE STOREY SIDE TO REAR EXTENSION; INCREASED ROOF HEIGHT BY 0.5M; ROOFLIGHTS IN FRONT, SIDE AND REAR ROOFSLOPES	Sent 17.06.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Dr R De Silva Flat 4 96 Elmsleigh Avenue Harrow Ward: Kenton West	P/0491/09 /4006  APP/M5450/A /09/2105500  ML	ALTERATIONS TO ROOF TO FORM PARTIAL GABLE END; REAR DORMER; ONE ROOFLIGHT IN FRONT ROOFSLOPE	Sent 17.06.09	N/A - Questionnaire forms case.			
Mr and Mrs Samuel Orenstein 2 Lake View Edware Middlesex Ward: Canons	P/0631/09 /4007  APP/M5450/E /09/2105510  EAST	CONSERVATION AREA CONSENT: DEMOLITION OF EXISTING SINGLE STOREY SIDE TO REAR EXTENSION CONTAINING GARAGE, UTILITY ROOM AND WORKSHOP	Due 17.06.09	N/A - Questionnaire forms case.			
Mr and Mrs Samuel Orenstein 2 Lake View Edware Middlesex Ward: Canons	P/0627/09 /4008  APP/M5450/A /09/2105509  EAST	DEMOLITION OF SINGLE STOREY SIDE TO REAR EXTENSION; CONSTRUCTION OF SINGLE/TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS AND TWO REAR DORMERS	Due 17.06.09	N/A - Questionnaire forms case.			
Mr Keith Antony 29 Kingsley Road Pinner Middlesex HA5 5RB Ward: Headstone North	P/3289/08 /4009  APP/M5450/A /09/2105192  LMc	SINGLE STOREY SIDE TO REAR EXTENSION	Due 17.06.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Mr Sanjay Budhdeo 8A Camrose Avenue Edgware Middlesex HA8 6EG Ward: Edgware	P/3075/08 /4011 APP/M5450/A /09/2105774 ML	CONTINUED USE OF SINGLE STOREY FORMER GARAGE AS SELF-CONTAINED FLAT, WITH PARKING AT FRONT	Sent 22.06.09	N/A - Questionnaire forms case.			
Mr Sanjay Budhdeo 8A Camrose Avenue Edgware Middlesex HA8 6EG Ward: Edgware	P/3076/08 /4012 APP/M5450/A/ 09/2105773 ML	CONTINUED USE OF COMBINED/LINKED SINGLE STOREY SIDE EXTENSION AND FORMER GARAGE AS SELF CONTAINED RESIDENTIAL UNIT	Sent 22.06.09	N/A - Questionnaire forms case.			
Mr P Docherty 97 Roxeth Green Avenue South Harrow HA2 8AB Ward: Roxbourne	P/4014/08 /4013 APP/M5450/A 09/2106064 SB	CONVERSION TO TWO FLATS; SINGLE STOREY FRONT AND REAR EXTENSIONS; SITING OF BINS STORES ON FORECOURT	Sent 24.06.09	N/A - Questionnaire forms case.			
Mr R Lakhani 20 Hooking Green Harrow Middlesex HA2 6AD Ward: Headstone South	P/0362/09 /4014 APP/M5450/A /09/2105551 Central	SINGLE STOREY FRONT SIDE AND REAR EXTENSION	Sent 25.06.09	N/A - Questionnaire forms case.			
Mr Noel Kelly 6 Bentley Way Stanmore Middlesex Ward: Stanmore Park	P/0313/09 4015 APP/M5450/A/ 09/2105366 NR	REDEVELOPMENT TO PROVIDE TWO STOREY DETACHED DWELLINGHOUSE WITH ROOMS IN ROOFSPACE AND SINGLE STOREY REAR PROJECTION (REVISED)	Sent 26.06.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Mr Clive Franklin 16 Broadmead Close Pinner Middlesex Ward: Hatch End	P/3433/08 /4016 APP/M5450/A /09/2106301 Central	SINGLE STOREY REAR EXTENSION	Sent 29.06.09	N/A - Questionnaire forms case.			
Mr John Goodwin Pinnerwood Cottage Woodhall Road Pinner Ward: Pinner	P/4060/08 /4017 APP/M5450/A /09/2106595 SB	DETACHED OUTBUILDING TO PROVIDE FOUR GARAGES	Sent 08.07.09	N/A - Questionnaire forms case.			
Dr. R. De Silva Flat 2 96 Elmsleigh Avenue Harrow Middlesex HA3 8HZ Ward: Kenton West	P/0482/09 /4019 APP/M5450/A /09/2105502 ML	SINGLE STOREY REAR EXTENSION	Sent 07.07.09	N/A - Questionnaire forms case.			
Mr Jayman Badiani 2 Station Road North Harrow Middlesex HA2 6AF Ward: Headstone South	P/3865/08 /4018 APP/M5450/A /09/2107463 LMC	CONVERSION OF DWELLINGHOUSE INTO TWO DWELLINGHOUSES	Sent 10.07.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Mr Anup Vyas 2 Junction Road Harrow HA1 1NL  Ward: Greenhill	P/4002/08 /4020  APP/M5450/A/ 09/21076010  GL	REDEVELOPMENT TO PROVIDE SIX-STOREY BUILDING TO PROVIDE 172 SQ.M. OF OFFICE SPACE AT GROUND AND FIRST FLOORS; EIGHT FLATS ON FOUR UPPER FLOORS WITH GLAZED BALCONIES; ROOF TERRACE; DEMOLITION OF EXISTING TWO-STOREY BUILDING (RESIDENT PERMIT RESTRICTED)	Sent 15.07.09	N/A - Questionnaire forms case.			
Dr Manek Patel 10 Georgian Way Harrow Middlesex HA1 3LF  Ward: Harrow on the Hill	P/0509/09 /4021  APP/M5450/ A/09/2107972  SB	NEW RAILINGS, WALL AND GATES TO FRONT BOUNDARY AND BRICK WALLS TO SIDE BOUNDARIES	Sent 21.07.09	N/A - Questionnaire forms case.			
Mr Kanwarjit Anand 6 Georgian Way Harrow on the Hill HA1 3LP  Ward: Harrow on the Hill	P/0653/09/4022  APP/M5450/ A/09/2108404  SB	ALTERATIONS TO ROOF INCORPORATING ENLARGEMENT OF ROOF AND RAISED HEIGHT, AND ROOF LIGHTS; TWO STOREY SIDE EXTENSION; 2 BAY WINDOWS ON FIRST FLOOR REAR ELEVATION	Sent 18.07.09	N/A - Householder Fastrack Appeal			
Mr Rohit Shah 44 Jellicoe Gardens Stanmore Middlesex  Ward: Stanmore Park	P/0503/09/4023  APP/M5450/ A/09/2105811  NR	SINGLE STOREY REAR EXTENSION	Sent 28.07.09	N/A - Questionnaire forms case.			

## APPEALS AWAITING DECISION

Masa Restaurant Masa Restaurant 24 - 26 Headstone Drive Wealdstone Ward: Mariborough	P/1031/09/4024 APP/M5450/A /09/2108756 AJ	INSTALLATION OF RETRACTABLE FRONT CANOPY; PROVISION 3 TABLES WITH 6 CHAIRS AND MOVABLE POST-AND-CHAIN ENCLOSURE TO FORECOURT OF RESTAURANT	Sent 31.07.09	N/A - Questionnaire forms case.			
Mr & Mrs R Rai 72 Potter Street Pinner HA5 3XE Ward: Pinner	P/0124/09/4025 APP/M5450/A/ 09/2106529 EJ	TWO STOREY SIDE; SINGLE AND TWO STOREY REAR EXTENSIONS AND FRONT PORCH	Sent 03.08.09	N/A - Questionnaire forms case.			
Mr Balbir Deol 46 & 48 Station Road Harrow Middlesex HA1 2SQ Ward: Greenhill	P/0714/09/4027 APP/M5450/A/ 09/2108017 GL	CHANGE OF USE AND CONVERSION OF 48 STATION ROAD FROM MIXED BUSINESS (B1)/RESIDENTIAL (C3) TO FORM FIVE SELF- CONTAINED FLATS; PART SINGLE; PART TWO-STOREY REAR EXTENSION TO NO. 48 STATION ROAD; PART SINGLE PART TWO-STOREY REAR EXTENSION TO NO. 46 STATION ROAD; EXTERNAL ALTERATIONS	Sent 05.08.09	N/A - Questionnaire forms case.			
Mr Robert Miller 15 Lansdowne Road Stanmore HA7 2RX Ward: Belmont	P/0873/09/4028 APP/M5450/D /09/2109197	SINGLE STOREY AND FIRST FLOOR FRONT EXTENSIONS	Sent 03.08.09	N/A - Householder Appeal Service			

## APPEALS AWAITING DECISION

Mrs Sandy Edel 17 Lansdowne Road Stanmore Middlesex HA7 2RX  Ward: Belmont	P/0874/09/4029  APP/M5450/D /09/2109247	SINGLE STOREY AND FIRST FLOOR FRONT EXTENSIONS	Sent 03.08.09	N/A - Householder Appeal Service		
Mrs S Sanghera 34 - 36 Cambridge Road Harrow Middlesex HA2 7LD	P/0825/09/4031  APP/M5450/A /09/2109146	TWO STOREY BUILDING TO PROVIDE FOUR FLATS WITH RAMP ON FRONT ELEVATION; NEW VEHICULAR ACCESS AND PARKING	Sent 14.08.09	N/A - Questionnaire forms case.		
<b>HEARINGS</b>						
NO CURRENT HEARING CASES AWAITING DECISION						
<b>INQUIRIES</b>						
NO CURRENT INQUIRY CASES AWAITING DECISION						



## APPEALS DECISIONS APR-JUN 2009

Appellant/Appeal Location/Procedure	LPA Ref: PINS Ref: Planner	Appeal Description	Ward	Decision	Date	Costs	Notes
Mr M B Janani 57 Oxford Road Harrow HA1 4JH	P/3923/07/ 3861 APP/M5450/A 08/2080350	CONVERSION OF DWELLINGHOUSE INTO TWO SELF CONTAINED RESIDENTIAL UNITS; SINGLE STOREY REAR EXTENSION.	Headstone South	Dismissed	15.04.09		
Mr V Neil 7 Veldene Way Harrow HA2 9BH	P/1629/08/ 3884 APP/M5450/A/ 08/2084385 SB	SINGLE STOREY FRONT, SIDE AND REAR EXTENSION TO FORM NEW DWELLING; ENLARGED VEHICLE ACCESS; SINGLE STOREY REAR EXTENSION TO EXISTING DWELLING	Roxbourne	Dismissed	22.04.09		
NVSM 73 Hindes Road Harrow HA1 1SL	P/2469/08 /3895 APP/M5450/A /08/2086457 JB	CONVERSION OF DWELLINGHOUSE INTO THREE SELF-CONTAINED FLATS; SINGLE-STOREY REAR EXTENSION; ROOF EXTENSION COMPRISING HIP TO GABLE AND REAR DORMER; EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)	Greenhill	Allowed	27.04.09		
Ms M Toussaint 20 Lynwood Close Rayners Lane Middlesex HA2 9PR	P/2404/08 /3906 APP/M5450/A /08/2087957 EJ	SINGLE STOREY SIDE & REAR EXTENSION	Rayners Lane	Allowed	15.04.09		

**APPEALS DECISIONS APR-JUN 2009**

Neville & Angela Pereira 3 Green Lane Cottages Green Lane Stanmore Middlesex	ENF/0263/07 /P/3917  APP/M5450/C /08/2087162	THE REPLACEMENT OF TWO TIMBER FRAMED HORN STYLE SASH WINDOWS IN THE FRONT ELEVATION OF THE DWELLING SITUATE ON THE LAND WITH TWO UPVC CASEMENT WINDOWS	Stanmore Park	Dismissed	03.04.09		
By Wood Homes (Stanmore) LTD 183 Whitchurch Lane Edgware Middlesex HA8 6QT	P/1618/08 /3909  APP/M5450/A /08/2087396  NR	SINGLE STOREY FRONT, SIDE AND REAR, TWO STOREY/ FIRST FLOOR SIDE EXTENSIONS, REAR DORMERS, CONVERSION TO FOUR FLATS WITH EXTERNAL ALTERATIONS	Canons	Dismissed	15.04.09		
Sterling Estates 69 Spencer Road Harrow Middlesex HA3 7AN	P/2239/08 /3920  APP/M5450/A /08/2085969  KR	CONVERSION OF DWELLINGHOUSE INTO THREE SELF-CONTAINED FLATS; SINGLE-STOREY SIDE EXTENSION; EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)	Wealdstone	Allowed	24.04.09	partial cost awarded to appellant.	
Mr P Patel 1 Hillfield Close Harrow HA2 6AZ	P/0559/08 /3896  APP/M5450/A /08/2086735  GL	SINGLE STOREY SIDE TO REAR EXTENSION	Headstone South	Allowed	06.04.09		

**APPEALS DECISIONS APR-JUN 2009**

Hatch End Lawn Tennis Company LTD 20 Clonard Way Hatch End Pinner	P/1943/08 /3922  APP/M5450/A /08/2090072  GL	INSTALLATION OF FLOODLIGHTING TO COURTS 1 AND 4	Hatch End	Allowed	01.05.09		
Mr D Roberts 14 Sequoia Park Pinner Middlesex HA5 4BS	P/2813/08 /3924  APP/M5450/A /08/2090356  JB	SINGLE/TWO STOREY SIDE TO REAR EXTENSION	Hatch End	Allowed	01.05.09		
Mr Jay Vandra 55 Paines Lane Pinner Middlesex HA5 3BX	P/2987/08 /3925  APP/M5450/A /08/2089794  EJ	DEMOLITION OF BUNGALOW AND REPLACEMENT TWO-STOREY DETACHED DWELLING WITH HABITABLE ROOFSPACE	Pinner	Dismissed	30.04.09		
Mr Mukesh Patel Bellevue Nugents Park Pinner Middlesex	P/2070/08 /3905  APP/M5450/ A/08/2087443  GL	DETACHED TWO-STOREY DWELLING HOUSE; DEMOLITION OF EXISTING HOUSE, NEW VEHICULAR ACCESS AND PARKING	Hatch End	Allowed	01.05.09		
Mr John Vargas 3 Meadow View Harrow Middlesex	P/2566/08 /3913  APP/M5450/A /08/2089203  SMC	SINGLE STOREY OUTBUILDING IN REAR GARDEN	Harrow on the Hill	Dismissed	28.05.09		

**APPEALS DECISIONS APR-JUN 2009**

W E Black Ltd 21 Corbins Lane Harrow Middlesex HA2 8EL	P/2954/08 /3918  APP/M5450/A /08/2089146  SB	REDEVELOPMENT TO PROVIDE NINE FLATS IN TWO x TWO/THREE STOREY BLOCKS WITH PARKING AND ACCESS FROM MEADOW GATE	Roxeth	Allowed	01.05.09		
Mr J Donovan 58/60 Nibthwaite Road Harrow Middlesex	P/1983/08 /3934  APP/M5450/A /09/2093771  GL	CONVERSION OF TWO DWELLING HOUSES TO SIX FLATS; ALTERATIONS TO ROOF TO FORM END GABLES AND REAR DORMERS; SINGLE AND TWO-STOREY EXTENSIONS TO BOTH PROPERTIES; FORMATION OF NEW VEHICULAR ACCESS TO HAMILTON ROAD; 1.8M HIGH BOUNDARY FENCE WITH SLIDING GATE; E	Marlborough	Dismissed	22.05.09		
Mr M/S Dilhar, Reena/Sapna/Ria 264-266 Northolt Road South Harrow HA3 0QX  (Ward: Roxeth)	APP/M5450/A /09/2093961  P/2045/08 /3938  HG	TWO STOREY REAR EXTENSION TO FORM SHOP EXTENSIONS, COVERED REAR PARKING AREA ON GROUND FLOOR AND EXTENSIONS TO BOTH FIRST FLOOR FLATS; EXTERNAL ALTERATIONS	Roxeth	Dismissed	07.05.09		
Mr & Mrs Choudhry The Beanz 83B Hindes Road Harrow HA1 1SQ	APP/M5450/A /09/2094622  P/2334/08 /3940  SG	SINGLE, FIRST FLOOR AND TWO STOREY REAR EXTENSION; EXTERNAL ALTERATIONS (REVISED)	Greenhill	Allowed	08.05.09		

**APPEALS DECISIONS APR-JUN 2009**

Bankmachine Ltd 6 Canons Corner Edgware HA8 8AE	APP/M5450/A /09/2094418  P/1304/08 /3942  SG	ATM ON SHOP FRONTAGE	Canons	Allowed	14.05.09		
Mr Dejo Abolade 174 Exeter Road Rayners Lane Middlesex HA2 9PJ	APP/M5450/A /09/2094107  P/2384/08 /3941  SB	SINGLE STOREY FRONT EXTENSION; EXTERNAL ALTERATIONS AND CONVERSION TO TWO FLATS AND NEW VEHICLE ACCESS	Rayners Lane	Dismissed	05.05.09		
Mr Pankaj Kuklarni 15 Fairholme Road Harrow Middlesex HA1 2TL	APP/M5450/A/ 09/2094647  P/2736/08 /3943  GL	CONVERSION OF DWELLINGHOUSE INTO TWO SELF-CONTAINED FLATS (RESIDENT PERMIT RESTRICTED)	Greenhill	Dismissed	14.05.09		
Mohan Vekaria 64C Chandos Crescent Edgware Middlesex HA8 6HL	APP/M5450/A /09/2095142  P/2968/08 /3944  FOD	REAR DORMER AND EXTERNAL ALTERATIONS TO FLAT B; FIRST FLOOR SIDE TO REAR EXTENSION TO FLAT C TO FORM DWELLING HOUSE	Edgware	Dismissed	08.06.09		
Mr S Jadunandan 11 Heritage View Harrow Middlesex HA1 3TN	APP/M5450/A /09/2095241  P/2338/08 /3945  MRE	SINGLE STOREY SIDE EXTENSION	Harrow on the Hill	Dismissed	03.06.09		

**APPEALS DECISIONS APR-JUN 2009**

Mr Michael Potts Land at rear of Laurel Cottage Church Lane Pinner HA5 3AB	APP/M5450/A /09/2095000  P/2724/08 /3948  SB	OUTLINE APPLICATION: (ALL MATTERS RESERVED) SINGLE AND TWO STOREY DETACHED DWELLING HOUSE WITH ACCOMMODATION IN ROOFSPACE; INTEGRAL GARAGE AND OFF STREET PARKING	Pinner	Allowed	05.06.09		
Harrow School Harrow School Porlock Avenue Harrow	APP/M5450/A /09/2096497  P/3416/08 /3950  SMC	REPLACEMENT OF EXISTING 1.4m HIGH TIMBER BOUNDARY FENCE WITH PROPOSED 1.95m HIGH BLACK METAL PALISADE FENCE ALONG PORLOCK AVENUE	Harrow on the Hill	Allowed	19.05.09		
Ms Marcia Clarke 24 Wood End Road Harrow Middlesex	APP/M5450/A/ 09/2096857  P/2620/08 /3951  HG	RETENTION OF SINGLE STOREY SIDE TO REAR EXTENSION; DEMOLITION OF GARAGE	Harrow on the Hill	Dismissed	08.06.09		
Mr Sunil Jakharia 63 Kenmore Avenue Kenton Harrow HA3 8PA	APP/M5450/A /09/2097146  P/3413/08 /3954  NR	SINGLE STOREY FRONT, SINGLE/TWO STOREY SIDE AND REAR EXTENSION, EXTERNAL ALTERATIONS INCLUDING ACCESS RAMP AT FRONT. CONVERSION TO TWO FLATS AND ATTACHED DWELLINGHOUSE	Kenton West	Dismissed	26.05.09		

**APPEALS DECISIONS APR-JUN 2009**

Mr D Altman Heath Lodge Tanglewood Close Stanmore HA7 3JA	APP/M5450/A /09/2096657  P/1781/08 /3955  NR	SINGLE/TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, WITH LOWER PATIO, ROOF TERRACE, EXTERNAL ALTERATIONS	Stanmore Park	Dismissed	26.05.09		
Mr Sanjay Budhdeo 109 Herga Road Harrow HA3 5AU	APP/M5450/A /09/2097564  P/3078/08 /3956  JB	CONTINUED USE OF DWELLINGHOUSE AS TWO FLATS	Marlborough	Allowed	05.06.09		
Mr Sunjay Budhdeo 40 Bedford Road Harrow Middlesex HA1 4LZ	APP/M5450/A /09/2097562  P/3080/08 /3957  SG	CONTINUED USE OF DWELLINGHOUSE AS TWO FLATS	Headstone South	Dismissed	08.06.09		
Mr Shailesh Teji 32 - 32A Streatfield Road Harrow Middlesex HA3 9BS	APP/M5450/A /09/2097306  P/3015/08 /3959  FOD	RETENTION OF DETACHED OUTBUILDING IN EACH REAR GARDEN OF 32 AND 32A STREATFIELD ROAD	Queensbury	Part Allowed	14.05.09		
Dr Dilip Patel 31 Cuckoo Hill Drive Pinner Middlesex	APP/M5450/A /09/2097127  P/2199/08 /3960  EJ	RETENTION OF FRONT PORCH AND SINGLE STOREY REAR EXTENSION	Pinner South	Part Allowed	09.06.09		

**APPEALS DECISIONS APR-JUN 2009**

Dr R De Silva Flat 3 96 Elmsleigh Avenue Harrow	APP/M5450/A/ 09/2098364 P/3849/08/3961 ML	REAR DORMER AND ROOFLIGHT IN THE FRONT ROOFSLOPE	Kenton West	Dismissed	26.05.09		
Mr. V. Pau 49 Royston Park Road Hatch End HA5 4AB	APP/M5450/A/ 09/2098510 P/1722/08/3963 KR	SINGLE STOREY REAR EXTENSION AND FRONT PORCH	Hatch End	Allowed	27.04.09		
Mrs M. Hallinan 73 Peel Road Wealdstone Middlesex	APP/M5450/A/ 09/2098222 P/3795/08 /3964 LM	CONVERSION OF DWELLINGHOUSE INTO TWO FLATS	Marlborough	Dismissed	09.06.09		
Mr J Martin 1 Cumberland Road Harrow HA1 4PH	P/3620/08/ 3969	SINGLE STOREY FRONT AND SIDE EXTENSION; ALTERATIONS TO ROOF TO FORM END GABLE AND REAR DORMER; EXTERNAL ALTERATIONS	Headstone South	Dismissed	03.06.09	Householder Fastrack Pilot Appeal	
Aqua Roofing The Old Bakery Grange Court Grange Gardens	APP/M5450/A/09/209 7757 P/3135/08/3962 SB	FIRST FLOOR OVER EXISTING OFFICE BUILDING AND TWO STOREY SIDE EXTENSIONS; FRONT DORMERS X 2; EXTERNAL ALTERATIONS TO ADJACENT GARAGES AND CONTINUED USE AS COMMERCIAL STORAGE (AMENDED PLANS)	Pinner	Allowed	10.06.09		



**APPEALS DECISIONS APR-JUN 2009**

<p>Mr A Fazal 68 Pinner Park Avenue Harrow Middlesex HA2 6LF</p>	<p>P/3380/08 /3953  APP/M5450/A /09/2096810  SG</p>	<p>TWO STOREY DWELLINGHOUSE ATTACHED TO 68 PINNER PARK AVENUE; 2.1M HIGH SIDE AND REAR BOUNDARY FENCES; NEW VEHICULAR ACCESS (OFF HOLMWOOD CLOSE) TO A PARKING SPACE FOR 68 PINNER PARK AVENUE; REAR PATIO TO NEW HOUSE</p>	<p>Headstone North</p>	<p>Allowed</p>	<p>10.06.09</p>	
<p>London Underground and Parkridge Developments  Former Travis Perkins 19 Pinner Road Harrow  (Ward: Headstone South)</p>	<p>P/0596/08 /3904  APP/M5450/A /08/2087875  DC</p>	<p>REDEVELOPMENT OF BUILDERS YARD: NINE STOREY BUILDING WITH BASEMENT COMPRISING A GROUND FLOOR CAFÉ/RESTURANT (CLASS A3 USE), 3458 SQM SECOND FLOOR SAINBURY'S FOOD STORE (CLASS A1 USE) WITH 220 RETAIL PARKING SPACES, 146 FLATS IN FOUR TO SIX STOREYS ABOVE etc</p>	<p>Headstone South</p>	<p>Allowed</p>	<p>11.06.09</p>	
<p>Mr &amp; Mrs Aminoff 12 Winscombe Way Stanmore HA7 3AU  (Ward: Stanmore Park)</p>	<p>APP/M5450/ 09/2096148  P/3722/08 /3946  NR</p>	<p>TWO STOREY SIDE, SINGLE AND TWO STOREY REAR EXTENSIONS WITH FIRST FLOOR JULIET BALCONY AT REAR</p>	<p>Stanmore Park</p>	<p>Allowed</p>	<p>11.06.09</p>	

**APPEALS DECISIONS APR-JUN 2009**

Mr & Mrs Goremsandu 85A Whitchurch Lane Edware Middlesex	ENF/956/05 /P/3899  APP/M5450/C /08/2085225  SSB	ENFORCEMENT APPEAL: SINGLE STOREY REAR EXTENSION	Canons	Dismissed	17.06.09	Full Cost award to LPA	
Mr R Karia 'Turf Hills' Priory Close Stanmore Middlesex (Ward: Stanmore Park)	P/1451/08 /3881  APP/M5450/A/ 08/2083636  ML	REPLACEMENT SINGLE/TWO STOREY HOUSE WITH ROOMS IN FRONT ROOFSPACE	Stanmore Park	Dismissed	30.06.09		
Ms Ruth Chigwada- Bailey 37 Nelson Road Stanmore HA7 4ES	P/2232/08/ 3966  APP/M5450/A/09/209 8536  NR	CONTINUED USE OF FORMER DWELLING HOUSE AS THREE FLATS, RETENTION OF SINGLE STOREY REAR EXTENSION	Stanmore Park	Part Allowed	25.06.09		
Mr M Akhtar Knoll House Warren Lane Stanmore	P/2670/08 /3916  APP/M5450/A /08/2089459  NR	DEMOLITION OF EXISTING DWELLING HOUSE AND STABLE BLOCK, REPLACEMENT TWO STOREY DWELLING HOUSE	Canons	Dismissed	30.06.09		

**APPEALS DECISIONS APR-JUN 2009**

Mr Mark Skinner 95 Roxeth Green Avenue South Harrow	P/2642/08/ 3965  APP/M5450/A /09/2097612  OH	FIRST FLOOR FRONT TO SIDE AND SINGLE STOREY REAR EXTENSION TO FORM TWO FLATS WITH REAR DORMER AND EXTERNAL ALTERATIONS AND ROOF ALTERATIONS TO EXISTING HOUSE	Roxbourne	Dismissed	22.06.09		
Mrs J K Boca 34 Shaftesbury Avenue South Harrow HA2 0PN	P/3535/08/ 3974	CONTINUED USE OF SIDE EXTENSION AS STUDIO FLAT	Harrow on the Hill	Dismissed	26.06.09		
Dr R De Silva Flat 2 96 Elmsleigh Avenue Harrow HA3 8HZ	P/3844/08/ 3971	SINGLE STOREY REAR EXTENSION	Kenton West	Dismissed	22.06.09		
Dr R De Silva Flat 4 96 Elmsleigh Avenue Harrow HA3 8HZ	P/3851/08/ 3972	ALTERATIONS TO ROOF TO FORM END GABLE AND REAR DORMER AND FRONT ROOFLIGHT	Kenton West	Dismissed	22.06.09		
Fruition Properties Former Case is Altered Public House 74 High Street Wealdstone HA3 7AF  (Ward: Wealdstone)	P/1673/08 /3910  APP/M5450/A /08/2088435  Ransford Stewart	REDEVELOPMENT TO PROVIDE 24 FLATS IN 3 SEPARATE BLOCKS RANGING BETWEEN 4 AND 6 STOREYS IN HEIGHT; 352 SQUARE METRES OF RETAIL FLOOR SPACE (USE CLASS A1) AT GROUND FLOOR LEVEL (RESIDENT PERMIT RESTRICTED)	Wealdstone	Dismissed	11.05.09		

**APPEALS DECISIONS APR-JUN 2009**

Mr & Mrs Parnell Land r/o Laureston Park Drive and 106 Uxbridge Road Harrow Weald	P/1217/08 3908  APP/M5450/A /08/2088113  GL	DETACHED DWELLINGHOUSE AND DETACHED DOUBLE GARAGE; DEMOLITION OF EXISTING GARAGE	Harrow Weald	Allowed	02.06.09		
M Hussain Side of 40 Spencer Road Harrow Weald HA3 7AN	P/1951/08 /3923  APP/M5450/A/ 08/2090397  GL	RETENTION OF SINGLE/TWO- STOREY SIDE EXTENSION PROVIDING AN ATTACHED DWELLING HOUSE; USE OF EXISTING HOUSE AS TWO FLATS; SINGLE-STOREY REAR EXTENSION	Harrow Weald	Allowed	13.05.09		
Mr Phil Smith 10 Dearne Close Stanmore Middlesex (Ward: Stanmore Park)	P/1384/08 /3932  APP/M5450/A /08/2091870  RD	SINGLE STOREY FRONT EXTENSION TO ATTACHED SIDE GARAGE.	Stanmore Park	Allowed	13.05.09		

## APPEALS DECISIONS JUL-SEP 2009

Appellant/Appeal Location/Procedure	LPA Ref: PINS Ref: Planner	Appeal Description	Ward	Decision	Date	Costs	Notes
Mr Peter Moe 2 Chestnut Drive Pinner HA5 1LY	P/2627/08/ 3975 APP/M5450/A/09 /2100252 MT	ROOF EXTENSIONS TO PROVIDE HABITABLE ROOF SPACE INCLUDING RAISING OF RIDGE HEIGHT, PROJECTING REAR GABLE, SIDE GABLES AND A FRONT DORMER, EXTERNAL ALTERATIONS	Pinner South	Dismissed	07.07.09		
Mr Andrew Dobinson 32 Latimer Gardens Pinner HA5 3RA	P/3275/08/ 3976 APP/M5450/A/ 09/2098502	REPLACEMENT WINDOWS ON FRONT ELEVATION	Pinner	Dismissed	07.07.09		
Mr Rohit Shah 44 Jellicoe Gardens Stanmore HA7 3NS Ward: Stanmore Park	P/3947/08 3973 APP/M5450/A /09/2098938 NR	FIRST FLOOR REAR EXTENSION	Stanmore Park	Dismissed	08.07.09		
Mr Phillip Scalzo 110 College Hill Road Harrow Weald HA3 7DA	P/2919/08/ 3967 APP/M5450/A/ 09/2097453	RETENTION OF REAR PATIO AND BOUNDARY FENCE	Harrow Weald	Dismissed	09.07.09		

**APPEALS DECISIONS JUL-SEP 2009**

Mr Stephen Foster 7 Rose Garden Close Edgware HA8 7RF	P/3340/08/ 3977  APP/M5450/A/ 09/2100099  FOD	SINGLE / TWO STOREY SIDE TO REAR AND FIRST FLOOR REAR EXTENSIONS; FRONT AND REAR DORMER; CONVERSION OF GARAGE INTO HABITABLE ROOM WITH ALTERATIONS TO FRONT ELEVATION INCLUDING CANOPY	Canons	Dismissed	10.07.09		
M H Vanarkadie 4 Eastcote Lane South Harrow HA2 8BP	P/0372/08 /3921  APP/M5450/X /2087261	CERTIFICATE: USE OF PART OF THE GROUND FLOOR OF THE HOUSE AS A SOLICITORS OFFICE	Roxbourne	Dismissed	13.07.09		
Mr Anoop Unadkat 50 Wychwood Avenue Edgware HA8 6TH	P/2488/08/ 3970  APP/M5450/A/ 09/2099542	DETACHED THREE STOREY DWELLINGHOUSE WITH BASEMENT	Canons	Dismissed	14.07.09		
Mr & Mrs Stuart Trail 30 Lake View Edgware Middlesex	P/3332/08 /3981  APP/M5450/A/ 09/2101574	SINGLE/TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION	Canons	Allowed	14.07.09		

**APPEALS DECISIONS JUL-SEP 2009**

Mr H Carolan 1 Talbot Road Harrow HA3 7QQ	P/2111/08/ 3968  APP/M5450/A/ 09/2099055	CONVERSION OF DWELLINGHOUSE INTO TWO FLATS; TWO STOREY SIDE EXTENSION; PART SINGLE PART TWO STOREY REAR EXTENSION; SINGLE STOREY FRONT EXTENSION	Marlborough	Dismissed	15.07.09		
Mr Gerard Doyle 54 Canons Drive Edgware Middlesex	P/0212/09 /3991  APP/M5450/A /09/2104187  East	REBUILDING OF PART OF BOUNDARY WALL FRONTING DUKES AVENUE AND GATES	Canons	Dismissed	31.07.09		
Ms Martha Hyland 1A Minehead Road Harrow Middlesex HA2 9DW	P/2817/08 /3990  APP/M5450/A /2103338  SMC	RETENTION OF SINGLE STOREY REAR CONSERVATORY EXTENSION	Roxbourne	Dismissed	13.08.09		
Mr Kevin Gentry 58 Roxborough Road Harrow Middlesex	P/3099/08 /3988  APP/M5450/A /09/2103117  LMC	SINGLE STOREY SIDE TO REAR EXTENSION INCORPORATING GARAGE	Greenhill	Allowed	13.08.09		

**APPEALS DECISIONS JUL-SEP 2009**

Mr Ken Popat 33 Dennis Lane Stanmore HA7 4JS	P/3261/08/ 3979  APP/M5450/A/ 09/2101059  GC	DEMOLITION OF EXISTING DWELLINGHOUSE, CONSTRUCTION OF REPLACEMENT TWO/THREE STOREY DWELLINGHOUSE WITH PART BASEMENT, INTEGRAL GARAGE AND SINGLE STOREY REAR PROJECTION	Stanmore Park	Dismissed	13.08.09		
Mrs Emma Simons 17 Winscombe Way Stanmore Middlesex	P/3350/08 /3989  APP/M5450/A /09/2103559  East	SINGLE STOREY REAR EXTENSION	Stanmore Park	Allowed	13.08.09		
Mr K Sabaratnam Botwell Court 118 Headstone Road Harrow Middlesex	P/3845/08 /3984  APP/M5450/A /09/2102716  GL	PROVISION OF TWO FLATS WITHIN MANSARD ROOF SPACE TOGETHER WITH ROOF LIGHTS TO FRONT AND REAR ROOFSLOPES	Greenhill	Dismissed	17.08.09		
Mr K Shah The White House Hillside Road Pinner HA5 3YJ	P/0241/09 /4002  APP/M5450/A /09/2105191  SB	SINGLE AND TWO STOREY FRONT AND REAR EXTENSIONS; SINGLE STOREY SIDE EXTENSION; EXTERNAL ALTERATIONS; DEMOLITION OF TWO STOREY REAR PROJECTION, AND ATTACHED GARAGE WITH OUTBUILDING	Pinner	Dismissed	17.08.09		



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<p>Mr R Verma 5 Cuckoo Hill Drive Pinner HA5 3PG</p>	<p>P/0270/09 /4004  APP/M5450/A/ 09/2105596  HG</p>	<p>TWO STOREY FRONT EXTENSION; TWO FRONT DORMER WINDOWS; EXTERNAL ALTERATIONS</p>	<p>Pinner South</p>	<p>Dismissed</p>	<p>17.08.09</p>	
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Committee:	Planning Committee
Date:	9 September 2009
Subject:	INFORMATION REPORT – Urgent Non-Executive Decision: North London Collegiate School, Canons Drive, Edgware
Responsible Officer:	Hugh Peart - Director of Legal and Governance Services
Portfolio Holder:	Councillor Marilyn Ashton - Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	None.

## Section 1 – Summary

The Urgent Non-Executive Decision procedure, set out in Part 3 of the Council's Constitution, requires all decisions taken under the procedure to be reported to the appropriate Committee. The Committee is requested to note the action taken under the Urgent Non-Executive Decision procedure, as outlined in Section 2 below.

### **FOR INFORMATION**

## **Section 2 – Report**

### CIRCUMSTANCES

A report was submitted to the Planning Committee on 24 June 2009 relating to the site at North London Collegiate School, Canons Drive, Edgware which proposed a single storey detached pavilion adjacent to sports pitches.

The report to Planning Committee recommended that planning permission be granted for the development described in the application and submitted plans subject to the prior variation of the existing legal agreement and to conditions. The Planning Committee resolved to grant planning permission for the development.

Permission for the proposed building of the sports pavilion therefore required an amendment of the prior completed legal agreement pertaining to the site in that an area is proposed to be removed from the current building envelope in order to provide an equivalent area for development of the sports pavilion. The Planning Committee of 24 June 2009 minute did not record the authorisation necessary to vary this legal agreement and until authority was obtained the agreement could not be varied nor a formal grant of planning permission issued.

### ACTION SOUGHT

Action Proposed: To authorise a variation of the Section 106 Agreement signed on 8 February 2005 to revise the building envelope as per plan 4846-AL (0)52 (Rev A).

Date of Request for Action: 30 July 2009

Reason for Urgency: The next Planning Committee was not until 9 September. The request was to enable the variation of the legal agreement prior to the next meeting.

Decision: Officer Recommendation agreed.

## **Section 3 – Further Information**

None.

## Section 4 – Financial Implications

There are no financial implications.

Name: Sheela Thakrar



on behalf of the  
Chief Financial Officer

Date: 28 August 2009

## Section 5 - Contact Details and Background Papers

Contact: Miriam Wearing, Senior Democratic Services Officer, 020 8424 1542

Background Papers: Individual Urgent Non-Executive Decision Form, as reported.

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Committee:	Planning Committee
Date:	9 September 2009
Subject:	INFORMATION REPORT – Urgent Non-Executive Decision: Edgware Town FC, Burnt Oak Broadway, Edgware.
Responsible Officer:	Hugh Peart - Director of Legal and Governance Services
Portfolio Holder:	Councillor Marilyn Ashton - Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	None.

## Section 1 – Summary

The Urgent Non-Executive Decision procedure, set out in Part 3 of the Council's Constitution, requires all decisions taken under the procedure to be reported to the appropriate Committee. The Committee is requested to note the action taken under the Urgent Non-Executive Decision procedure, as outlined in Section 2 below.

### **FOR INFORMATION**

## **Section 2 – Report**

### CIRCUMSTANCES

On 10 September 2007, the Strategic Planning Committee considered an outline application from Edgware Developments Limited for 'Layout, scale and access for redevelopment to provide 178 flats and 11 houses in nine blocks of three and five storey buildings (planning reference: P/1941/07).

At this meeting the Committee resolved to grant planning permission, subject to a) the prior completion of a Section 106 Agreement, dealing with six separate Heads of Terms within three months from the date of that decision and subject to conditions and b) the resolution of an objection from the Environment Agency.

The Environment Agency removed their objection on 27 March 2008 requesting nine conditions to be attached to the decision notice.

The application was referred to the Government Office for London (GOL) on the 3<sup>rd</sup> of April 2008. Upon referral to GOL it was highlighted to the Council's case officer that the application was also referable to the Mayor of London. As a result GOL held their comments in abeyance until such time as the Mayor made his decision on the application.

The application was referred to the Mayor of London on the 17<sup>th</sup> of June 2008.

The S.106 Agreement was signed on the 22<sup>nd</sup> of August 2008.

As part of the referral process to the Mayor of London, on the 27<sup>th</sup> of January 2009 TfL requested a bus stop audit survey to be carried out by the applicant and a commitment to financial contributions toward the upgrading of any bus stops within the vicinity of the site found to be deficient.

The applicant agreed to the proposed wording of the new clause to be inserted into the S.106 Agreement in their letter to the Council dated the 10<sup>th</sup> of March 2009.

The application was formally referred to the Mayor for stage 2 comments on the 8<sup>th</sup> of April 2009.

The Greater London Authority's planning case officer report was presented to the Mayor on the 21<sup>st</sup> of April 2009 with an officer's recommendation to allow Harrow Council to determine the application itself. Part of the reasoning behind the officer's recommendation was the benefits of having a survey of the bus stops surrounding and a commitment from the developer to improve them where necessary.



The Mayor of London, following consideration of the officers report, directed the Council should refuse the application on the 22<sup>nd</sup> of April 2009 for the following reason:

*'The proposed development would result in the permanent loss of protected open space and therefore does not accord with the provisions of London Plan policy 3D.8 which states that the Mayor will protect access to London's network of open spaces and protect the many benefits of open space including those associated with health, sport and recreation. This is assured through London Plan policy 3D.11 which required DPD policies to protect open spaces that are of value, or have the potential to be of value, to local communities. The application is therefore contrary to the spatial development strategy and is prejudicial to its implementation.'*

As a result of this direction the deed of variation to the S.106 Agreement was held in abeyance.

On the 10<sup>th</sup> of June 2009 following the submission of further information on the public access aspirations of Harrow Council for this site and the benefits S.106 contributions will have on the neighbouring Prince Edward Playing Fields for sport and recreation, the Mayor of London wrote to Harrow Council cancelling his earlier direction and allowing the Council to determine the application itself.

On the 26<sup>th</sup> of June 2009 GOL wrote to the Council stating that they had no objections and that the Council may determine the application itself.

In order for the Council to be able to issue the decision notice the deed of variation to the existing S.106 Agreement, which reflects TfL's requirements, is needed. The applicant has agreed to the variation which is considered to raise no new material planning considerations or introduce any new impacts from the development.

### ACTION SOUGHT

Action Proposed: To vary the Section 106 Agreement signed on 22 August 2008 to include the following clause requested by Transport for London (TfL):

"Prior to the commencement of development a survey shall be carried out of all bus stops within 400 metres of the site by the owner in accordance with Transport for London's Accessible Bus Stop Guidance (BP 1/06 January 2006). In the event that any bus stop within the said 400 metre radius does not meet with the TfL guidance the owner shall pay to TfL a contribution not exceeding £10,000 per stop which is substandard, to enable the improvement of the stop such contribution to be made prior to the occupation of the first property on the development."

Date of Request for Action: 30 July 2009

Reason for Urgency:

The applicant has experienced substantial delays as a result of the delay in referring the application to the Mayor of London in June 2007. The Section 106 Agreement needs to be varied in order to issue the applicant with a decision notice.

As the next Planning Committee was not until 9 September the action was proposed in order to complete the deed of variation to the Section 106 Agreement and to issue the planning decision notice as soon as possible to avoid further unnecessary delays.

Decision: Officer Recommendation agreed.

### **Section 3 – Further Information**

None.

### **Section 4 – Financial Implications**

There are no financial implications.

Name: Sheela Thakrar



on behalf of the  
Chief Financial Officer

Date: 28 August 2009

### **Section 5 - Contact Details and Background Papers**

Contact: Miriam Wearing, Senior Democratic Services Officer, 020 8424 1542

Background Papers: Individual Urgent Non-Executive Decision Form, as reported.