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## REPORT OF PLANNING COMMITTEE

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### MEETING HELD ON 14 OCTOBER 2009

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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Husain Akhtar \* Julia Merison  
 \* Don Billson \* Jerry Miles  
 \* Keith Ferry \* Joyce Nickolay  
 \* Thaya Idaikkadar

\* Denotes Member present

[Note: Councillors Mrs Vina Mithani, Paul Scott and Jeremy Zeid also attended this meeting to speak on the items indicated at Minute 65 below].

#### **PART I - RECOMMENDATIONS - NIL**

#### **PART II - MINUTES**

64. **Attendance by Reserve Members:**

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

65. **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>
Mrs Vina Mithani	2/01 - 136 Kenton Road, Harrow
Paul Scott	2/12 - 5 West Drive, Harrow
Jeremy Zeid	2/01 - 136 Kenton Road, Harrow and 2/07 - Bradenham Works, Bradenham Road, Kenton

66. **Declarations of Interest:**

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

Items 2/14 and 2/15 - 4 Aylwards Rise, Stanmore HA7 3EH

Councillor Marilyn Ashton – prejudicial interest as she had been involved in the application as the Portfolio Holder for Planning, Development and Enterprise. She would leave the room and take no part in the decision making process.

(Councillor Joyce Nickolay took the Chair for consideration of these applications).

Item 2/16 - The Sacred Heart RC Language College, 186 High Street, Wealdstone HA3 7AY

Councillor Keith Ferry – prejudicial interest as his daughter attended the college. He would leave the room and take no part in the decision making process.

67. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 9 September 2009 be taken as read and signed as a correct record.

68. **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.

69. **References from Council and other Committees/Panels:**

**RESOLVED:** To note that there were no references.

70. **Representations on Planning Applications:**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/03, 2/04 and 2/12 on the list of planning applications.

[Note: Planning application 2/04 was subsequently deferred, and so the representation was not received].

71. **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.

**RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered.

**(1) REPAIR GARAGE REAR OF 65 BRIDGE STREET, PINNER HA5 3HZ (APPLICATION 1/01)**

Reference: P/1966/09/SL/MAJ – (LogicPlough Limited). Demolition Of Existing Disused Timber-Framed, Steel-Roofed Buildings And Redevelopment For 26 Flats [13no. X One-Bed And 13no. X Two-Bed] With Associated Amenity Space And Two Disabled Parking Spaces [Revised Application To P/1907/07 Allowed On Appeal Dated 25 February 2008 Involving Internal Layout Alterations Only].

In response to a question, an officer clarified that the amendment to the Heads of Terms from intermediate housing to affordable housing had been as a result of discussions with the housing department.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended in the addendum, subject to the completion of a legal agreement and the conditions and informatives reported.

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

**(2) PRINCE EDWARDS PLAYING FIELDS, ST DAVID'S DRIVE, EDGWARE (APPLICATION 1/02)**

Reference: P/1975/09/RH/MAJ – (Football First). Application To Vary Condition 6 (Approval Of Landscaping Prior To Commencement Of Development) Pursuant To P/0002/07 To Provide For The Implementation Of A Landscape Scheme In Accordance With Details To Be Approved And Implemented Prior To The End Of The Planting Season And Variation Of Condition 9 Pursuant To P/0002/07 To Provide For The Approval Of The Levels Of The Buildings, Roads, Footpaths And Retention Of All New Ground Works Within The Site

An officer advised that the application sought to vary two planning conditions. The consultation period had expired the previous day. In response to a question, the officer reported that there might be a benefit from earthworks located as a barrier to noise but this could not be quantified and should therefore be given limited weight. There were differences in level across the site, which accounted for the differing height of the bunds mentioned.

**DECISION:** GRANTED (1) permission for the development described in the application and submitted plans, and the conditions and informatives reported;

(2) discharge of condition 9 as detailed in the addendum.

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

**(3) SHERIDAN HOUSE, 17 ST ANN'S ROAD, HARROW HA1 1JU (APPLICATION 1/03)**

Reference: P/1375/09/SL/MAJ – (ICICI Investments Limited). Change Of Use Of Existing Seven-Storey Building [B1 Use] To Hotel [C1 Use] With 114 Bedrooms. Demolition Of Existing Plant Floor At 6<sup>th</sup> Floor Level And Replacement With Additional Two Floors To Create Eight-Storey Building

In response to a question, the Committee was advised that the leases for the eight existing business uses were due to expire the following year and discussions were taking place with the Economic Development Team. Assistance for displaced businesses was not a planning matter but could be investigated. There was a substantial amount of unlet space in Harrow Town Centre that may be available for relocation of existing businesses. The Community Strategy sought to improve the town centre and the proposed use was consistent with that objective.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to the completion of a legal agreement, the conditions and informatives reported and referral to the Mayor of London.

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

*Councillors Husain Akhtar, Marilyn Ashton, Don Billson, Keith Ferry, Thaya Idaikkadar, Julia Merison and Joyce Nickolay as having voted for the decision to grant the application;*

*Councillor Jerry Miles as having abstained on the decision to grant the application.*

**(4) 136 KENTON ROAD, HARROW, HA3 8AZ (APPLICATION 2/01)**

Reference: P/0837/09/ML/E – (Mr Jaswant Singh). Change Of Use From Retail To Restaurant (Class A1 To A3) with External Alterations.

The officer reported that the application would result in the total percentage of non-retail frontage in the Kenton Local Centre being 29.2%, which was in accordance with retail policy EM18.

The Committee received a representation from two Members which was noted.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum and the conditions and informatives reported.

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

**(5) 21 AVONDALE ROAD, HARROW, HA3 7RE (APPLICATION 2/02)**

Reference: P/1455/09/LM/C – (Mr Ciaran Horohoe). Construction Of Two Storey Detached Building To Provide Two Self Contained Flats With Two Parking Spaces

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, and the conditions and informatives reported.

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

**(6) 9 EASTERN AVENUE, PINNER, HA5 1NU (APPLICATION 2/03)**

Reference: P/1239/09/EJ/E – (Mr Zahir Khan). Single Storey Side To Rear Extension; External Alterations

The Committee received a representation from an objector, Mr Hutchinson, which was noted.

In response to questions from Members, the officer stated the view that the application did not result in a substantive terracing effect, particularly as the proposal was for a single storey extension. The supplementary planning guidance adopted by the Council did not provide for planning grounds to refuse this application on grounds of terracing. It was further stated that fire risk was outside the remit of planning control and would be a matter for the Building Control Department. In terms of the Council's policies and general policy there was not a sustainable planning argument against development to use at a possible appeal stage.

The Chairman stated that she would welcome a review of the supplementary planning guidance (extension guide) by which such applications were judged. Whilst the Council wanted to protect the area it was mindful of householder's needs to increase the size of homes because of a growing family or limits on moving. This need had to be balanced carefully with other impacts.

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

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

**(7) 112 UXBRIDGE ROAD, HARROW WEALD, HA3 6TR (APPLICATION 2/04)**

Reference: P/1591/09/GL/C – (Mr Jay Dadhania) Variation Of Conditions 3 (Permeable Paving In Front Garden) And 7 (Details Of Retaining Wall) Of Planning Permission P/3558/08 Dated 27-Mar-09 For Retention Of Detached Two-Storey Dwellinghouse With Rooms In Roofspace; Timber Decking At Rear And Proposed Alterations To Garden Levels; Landscaping.

**DECISION:** DEFERRED at the request of the officers to seek further information.

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

**(8) 294 UXBRIDGE ROAD, HATCH END, HA5 4HR (APPLICATION 2/05)**

Reference: P/0555/09/RH/MAJ – (Mr A Surace). Continued Use Of Ground Floor As Mixed A1/A3 Use And Forecourt Seating Area (110 Covers) And Extract Flue.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, and the conditions and informatives reported.

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

**(9) 132 BUTLER ROAD, WEST HARROW, HA1 4DX (APPLICATION 2/06)**

Reference: P/1414/09/EJ/W – (R and J Landscapes (London) Ltd). Redevelopment Of Site To Provide Pair Of Semi Detached Houses And A Detached Bungalow With Access And Parking.

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

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

**(10) BRADENHAM WORKS, BRADENHAM ROAD, KENTON, MIDDLESEX, HA3 8NA (APPLICATION 2/07)**

Reference: P/1046/09/NR/E – (Terry & Stephens Ltd). Redevelopment To Provide Single Storey Detached Building Containing Workshop And Ancillary Materials Storage Area (Class B1 (c))

The Committee received a representation from a Member which was noted. The Committee was informed of the view of the officers that class B1 would not cause harm, particularly taking into account recent appeal decisions relating to

similar developments. The Chairman stated that the application provided the opportunity to regularise the position and ensure that appropriate conditions were applied.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, and the conditions and informatives reported.

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

**(11) 410 UXBRIDGE ROAD, PINNER, HA5 4HP (APPLICATION 2/08)**

Reference: P/1267/09/LM/C – (Mr Oliver Khoo). Use Of 408 And 410 Uxbridge Road As Restaurant (Use Class A3); External And Internal Alteration To Form One Unit; New Shop Front; New Tiled Canopy; Use/Extension Of Part Of Public Highway Outside 408 Uxbridge Road As External Seating Area Including New Decking, New 1.1m High External Seating Enclosure (Railings)

**DECISION:** DEFERRED at the request of the officers, to enable further consultation and consideration as the works on site did not accord with the application drawings.

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

**(12) 408 AND 410 UXBRIDGE ROAD, PINNER, HA5 4HP (APPLICATION 2/09)**

Reference: P/0951/09/LM/C- (Mr Oliver Khoo). Two Advertisement (Non Illuminated) Signs On Front Elevation Of Outdoor Seating Area Railings

**DECISION:** DEFERRED at the request of the officers, to enable further consultation and consideration of the proposal.

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

**(13) 183 WHITCHURCH LANE, EDGWARE, HA8 6QT (APPLICATION 2/10)**

Reference: P/1480/09/NR/E – (By Wood Homes (Stanmore) Ltd). Single And Two Storey Side And Single Storey Rear Extensions, Rear Dormer, Conversion To Four Flats, External Alterations

An officer reported that it was considered that the current application had dealt with the concerns raised by the Planning Inspector. Members considered that visual clarification was required.

**DECISION:** DEFERRED for a Member site visit.

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

**(14) 28 ROXBOROUGH PARK, HARROW, HA1 3AY (APPLICATION 2/11)**

Reference: P/1549/09/GL/C- (Mr I B Kathuria) Conversion Of Residential Premises Into 7 Flats; Excavation Of Part Of Rear Garden To Form Lightwell; External Alterations; Landscaping And Parking To Front Garden And Provision Of Two Parking Spaces.

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

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

**(15) 5 WEST DRIVE, HARROW, HA3 6TX (APPLICATION 2/12)**

Reference: P/1564/09/GL/C – (Mr W Noorin). Single Storey Side Flank/Two Storey Rear Extension, First Floor Front Extensions, Rear Dormer And Three Velux Windows

The Committee received representations from an objector, Rodney Goodman, and the applicant, Mr W Noorin, which were noted.

An officer explained that the application had been deferred from last Committee meeting for a Members' site visit which had taken place on 23 September 2009. The changes since the earlier application that had been refused now met the criteria in the supplementary planning document and in the view of the officers would not harm the Conservation Area. A number of safeguarding conditions had been proposed.

During the discussion, Members raised a number of issues which officers responded to as follows:

- the criteria in the supplementary planning document was that the extension should not dominate its surroundings;
- the consultation response from the Conservation Area Advisory Committee referred to the current application;
- the increase in the footprint was approximately 25-30%;
- the negotiation by the officers, which resulted in a single storey at the front, reduced the impact on the street scene;
- a reduction in the size of the rear extension had been negotiated so it was now in proportion;
- each application was dealt with on its merits. A two storey side extension could start to have an impact on the character of the area;
- by centralising the dormer in the rear elevation, officers did not consider that the window would seriously overlook numbers 7 or 3 West Drive.

It was accepted that the application did not do harm in terms of detriment to the character and appearance of the Conservation Area as the housing stock was varied. The site visit had been to establish whether it did harm to the amenity of the neighbour and, whilst it was accepted that the view would be different, in terms of planning and planning policy the relationship between the houses and conservation area was not considered to amount to a sustainable argument on which an appeal would succeed.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, and the conditions and informatives reported.

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

**(16) 32 STREATFIELD ROAD, HARROW (APPLICATION 2/13)**

Reference: P/1492/09/FOD/E - (Mr Shailesh Teli). Retention Of Outbuilding In Rear Garden With Alterations To Reduce Its Depth And Elevational Treatments

It was noted that the Planning Inspector had upheld the view of the Committee with regard to a previous application on this site. Officers were requested to monitor the use of the outbuildings to ensure that they were for the enjoyment of the occupants of the flats and not as self-contained units.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, and the conditions and informatives reported with an amendment to condition 1 on the addendum to read:

'Within three months of the date of this permission the outbuilding shall be reduced in depth by one metre and the external surfaces of the outbuilding shall be painted a brick red colour and retained thereafter'.

Reason: To safeguard the appearance of the locality.

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

**(17) 4 AYLWARDS RISE, STANMORE, HA7 3EH (APPLICATION 2/14)**

Reference: P/1656/09/ML/E - (Dr Abhay Shah). Alterations To Front Portico.

The Vice-Chairman took the chair for the consideration of the application.

An officer introduced the item, stating that the existing portico required planning permission as there was no permitted development. The proposal, to make the horizontal lintel more shallow and the plinth slightly wider and more substantial, was seen as positive. The proposed details were set out as paragraph c) on page 167

In response to a question regarding consultation responses, it was noted that a letter had been received on the day of the meeting on behalf of a neighbour. This had been circulated to Members. The officers had sought to clarify with the objector that the agenda had been published and that the item would be discussed by the Committee that evening.

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

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

**(18) 4 AYLWARDS RISE, STANMORE, HA7 3EH (APPLICATION 2/15)**

Reference: P/1657/09/ML/I – (Dr Abhay Shah). Variation Of Condition 2 Of Planning Permission App/M5450/C/07/205532 To Read 'The Windows In The Dwellinghouse Shall Be Replaced And Relocated To Accord With Those Shown On The Drawings Nos. 752/301c And 752/205 And Retained Thereafter'.

The Vice-Chairman took the chair for the consideration of the application.

The officer outlined that the Planning Inspector had quashed the enforcement notice and had granted planning permission for the house on site to remain subject to conditions. The purpose of the specific condition under consideration was to alter the form of window openings and surrounds. The officer explained that the Inspector had referred to an incorrect drawing. Therefore, it had been impossible for the applicant to comply with the planning permission. As the Inspector had laid down that the building should be demolished within a timescale if the works were not undertaken, the officers had been seeking to resolve the issue.

The planning application now before the Committee was to vary the condition and substitute a new drawing originally referred to by the Planning Inspector. The application proposed a reduction in the size of the ground floor windows and the removal of the marble surround and a reduction in the upstairs window with new narrower surrounds two inches shorter and more proportionate.

In response to a question, an officer stated that the previous drawing was not a significant material planning matter as the house detailed in that drawing did not represent the building on the site. The Committee was being asked to consider whether the form of surround was appropriate and whether the change to the openings to reduce the width was acceptable. The applicant had to comply with the condition by mid February 2010.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum and the conditions and informatives reported.

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

**(19) THE SACRED HEART RC LANGUAGE COLLEGE, 186 HIGH STREET, WEALDSTONE HA3 7AY (APPLICATION 2/16)**

Reference: P/1868/09/SL – (London Borough of Harrow). Single-Storey Modular Building Comprising 3 no. X Classrooms With Ancillary Storage On Existing Hard Landscaping To The Northern Most Part Of The Site.

The Committee agreed that a three year time period for the retention of the modular building would be suitable.

**DECISION:** GRANTED permission for the development described in the application and submitted plans for a period of three years, as amended by the addendum, and the conditions and informatives reported.

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

**(20) 84 STANMORE HILL, STANMORE, HA7 3BU (APPLICATION 3/01)**

Reference: P/1278/09/ML/E – (Mr & Mrs G Adebayo). Construction Of Third Floor (Fourth Storey) To Existing House (Revised).

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

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

72. **INFORMATION REPORT - Urgent Non-Executive Decision: Gayton Road, Harrow:**  
The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent decision which authorised the extension of the period for the completion of the section 106 agreement relating to Gayton Road by two weeks from the date of authority being granted.

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

73. **Member Site Visits:**  
In addition to the site visits considered in the course of the meeting, the officers suggested a site visit to consider the application for Copse Farm in line with the new Procedure Note on Member Site Visits.

**RESOLVED:** That Member Site Visits take place on Saturday 31 October 2009 at 9.30am to the following sites:

- 183 Whitchurch Lane, Edgware
- 84 Stanmore Hill, Stanmore
- Copse Farm, Brookshill Drive, Stanmore.

74. **INFORMATION REPORT - Urgent Non-Executive Decision: 14 Waxwell Lane, Pinner:**

The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent decision which authorised the Council to enter into a Section 106 Agreement with the owners of 14 Waxwell Lane, Pinner and any other parties with an interest in the land to ensure the future maintenance, at no expense to the Council, of the Lime trees adjacent to the site.

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

75. **INFORMATION REPORT - Urgent Non-Executive Decision: Former Ace Cinema, Alexandra Avenue, Harrow:**

The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent decision which authorised the completion of a Section 106 agreement within a period of three months from the date of the report in connection with the planning application for the redevelopment of the Former Ace Cinema in Alexandra Avenue, Harrow.

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

76. **Extension of the Meeting:**  
In accordance with the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution) at 9.20pm a proposal to extend the length of the meeting to 10.30pm, or until all business was heard, was moved, seconded and agreed.

**RESOLVED:** That the meeting continue until 10.30pm or until all business was heard.



(Note: The meeting, having commenced at 6.30 pm, closed at 9.40 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman