



**PLANNING COMMITTEE
WEDNESDAY 14 OCTOBER 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**

**Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.
IT WILL BE COLLECTED FOR RECYCLING.***

HARROW COUNCIL

PLANNING COMMITTEE

WEDNESDAY 14 OCTOBER 2009

AGENDA - PART I

Guidance Note for Members of the Public Attending the 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 9 September 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.

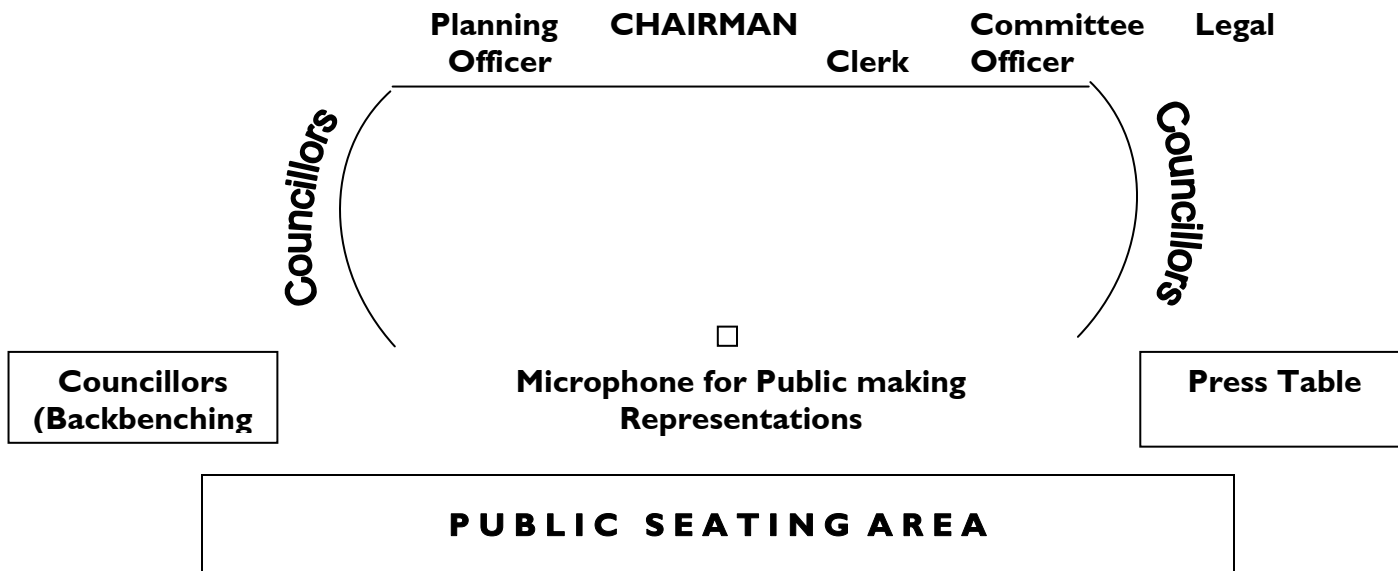
11. **INFORMATION REPORT - Urgent Non-Executive Decision: Gayton Road, Harrow:** (Pages 15 - 18)
Report of the Director of Legal and Governance Services.
12. **Member Site Visits:**
To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).
13. **Any Other 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).

REPORT OF PLANNING COMMITTEE

MEETING HELD ON 9 SEPTEMBER 2009

Chairman: * Councillor Marilyn Ashton

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

* Denotes Member present

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

49. **Attendance by Reserve Members:**

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

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

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

<u>Councillor</u>	<u>Planning Application</u>
Paul Scott	2/13 5 West Drive, Harrow, HA3 6TX

[Note: Planning Application 2/13 was subsequently deferred, and so the representation was not received].

51. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Item 3/01 – Land at the Royal National Orthopaedic Hospital, Brockley Hill, Stanmore, HA7 4LP

Councillors Husain Akhtar, Julia Merison and Joyce Nickolay – personal interest as they knew the applicant's father, who was the President of the Harrow East Conservative Association.

Item 3/01 – Land at the Royal National Orthopaedic Hospital, Brockley Hill, Stanmore, HA7 4LP

Councillor Don Billson – personal interest as he was a Member of the Harrow West Conservative Association.

Item 3/01 – Land at the Royal National Orthopaedic Hospital, Brockley Hill, Stanmore, HA7 4LP

Councillor Marilyn Ashton – prejudicial interest as the applicant's father was a personal friend. Accordingly, she would leave the room and take no part on the decision making process.

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

52. **Minutes:**

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

53. **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.

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

RESOLVED: To note that there were no references.

55. **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 item 2/13 on the list of planning applications.

[Note: Planning application 2/13 was subsequently deferred, and so the representations were not received].

56. **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) **ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, STANMORE, HA7 4LP
(APPLICATION 1/01)**

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) to Provide Patient Family Support.

An officer advised that the proposal for development was situated in a designated green belt area. As a result a number of additional policy considerations applied. The officer explained that the construction of new buildings in the Green Belt is inappropriate development unless it falls within a range of specified purposes, which includes limited infilling or redevelopment of major existing developed sites, and meets certain criteria. The Greater London Authority (GLA) considered that all the criteria had not been met and accordingly that the proposal was inappropriate development in the Green Belt. In the circumstances, additional information was submitted by the applicant as to why there were very special circumstances that outweighed the harm to the Green Belt. Officers considered that the proposed development demonstrated the very special circumstances criteria as it provided accommodation for the carers and family members of young patients on the site that could not effectively be provided elsewhere. It was considered that the impact caused on the green belt was outweighed by these very special circumstances. Conditions had also been proposed to manage and mitigate concerns raised by the Greater London Authority (GLA).

The officer further explained that based on the presumption that the application was inappropriate development in the Green Belt, there was a need for the Council to advertise the application as a departure from the Development Plan before referring the matter to the GLA and Government Office for London (GOL).

During the discussion on this item, Members raised a number of issues which the officer responded to as follows:

- a previous report identified that officers' view was that the development was not a departure and complied with the terms of policy. However the GLA considered that the development did not satisfy requirements in the policy. As a result and for the avoidance of doubt, the application was being advertised as a departure from policy;
- if the Committee supported the recommendation, then a resolution to grant would be subject to advertising the application as a departure from policy and approval by the GLA and GOL;
- the GLA's comments regarding concerns on the design of the application were qualified by an absence of information submitted to

them. The application had subsequently been revised to incorporate more information.

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended in the addendum, subject to the conditions and informatives reported and consultation with GLA / GOL under Circular 02/2009: the Town and Country Planning (Consultation) (England) Direction 2009.

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

(2) 93 & FORMER MORTUARY AND PARKS DEPOSIT SITE, PEEL ROAD, WEALDSTONE (APPLICATION 1/02)

Reference: P/1292/09/SL/MAJ – (Forest Whitmore Limited). Revised Application: Redevelopment of 46 Units (34 Flats and 12 Houses) in 3No. 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).

An officer clarified final figures for the breakdown and mix of tenure explained in the report. This would result in an amendment to the Head of Term (i) proposed.

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 an amendment to Head of Term (i) to read:

Affordable Housing: no more than 34 units as affordable Housing, with 22 units as social housing and 12 units as intermediate housing to be managed by a Nominated Registered Social Landlord.

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

(3) 136 KENTON ROAD, HARROW, HA3 8AZ (APPLICATION 2/01)

Reference: P/0837/09/ML1/E – (Mr Jaswant Singh). Change of Use From Retail to Restaurant (Class A1 to A3).

The Chairman sought clarity on how the assessment of retail use in Kenton Local Centre had been conducted before a decision was made on the application. Officers undertook to provide this information at the next meeting.

DECISION: DEFERRED for further information to be provided by officers to the Committee.

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

(4) 48 LADY AYLESFORD AVENUE, STANMORE (APPLICATION 2/02)

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

An officer explained that the Committee had conducted a site visit for this application. A previous application on this site had been refused and dismissed at appeal. This application was however considered to be materially different and reduced the size of the extension from two storey to single storey.

A Member commented that there appeared to be no grounds to turn down the application. It was also noted that any concerns regarding the structural effect the development would have on neighbours was a Building Control issue. A

Member requested that it be recorded that there was no conservatory on the site at the time, but that the plinth remained.

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

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

(5) 9 EASTERN AVENUE, PINNER, HA5 1NU (APPLICATION 2/03)

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

DECISION: DEFERRED for a Member Site Visit.

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

(6) 24 GORDON AVENUE, STANMORE, HA7 3QD (APPLICATION 2/04)

Reference: P/0556/09/FOD/E – (Mr and Mrs Colley). Detached Single/Two Storey Dwellinghouse in Side Garden.

An officer provided the Committee with a description of the application and explained that previous applications on this site had been refused for a number of reasons. Officers now considered that the current application had addressed outstanding concerns.

During the discussion on this item Members made a number of comments which included:

- that although many of the previous reasons for refusal have been addressed, the relocation of the development to a new part of the site had made it more conspicuous;
- due to the relocation of the development, it would be more prominent from the public footpath;
- there were no issues with the design of the development in its own right but concern about the relationship with the existing dwelling and its visibility.

DECISION: REFUSE permission for the development described in the application and submitted plans, as amended in the addendum, for the following reason:

The proposed new dwelling, by reason of its close proximity and relationship to the existing dwelling, would give rise to a cramped appearance and would have an adverse effect on the character and appearance of the locality, particularly when viewed from the footpath on the RAF Stanmore Park development and dwellings thereof, to the detriment of the visual amenity of the area and contrary to London Plan Policy 4B1 and HUDP policies D4 and D5.

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

Councillors Husain Akhtar, Marilyn Ashton, Don Billson, Julia Merison and Joyce Nickolay as having voted for the decision to refuse the application.

Councillors Keith Ferry, Thaya Idaikkadar and Jerry Miles as having voted against the decision to refuse the application.

(7) 102A WOOD END ROAD, SUDBURY HILL, HA1 3PT (APPLICATION 2/05)

Reference: P/1078/09/EJ/W – (Mr J L Lyons). Demolition of Existing Garages and Construction of a Pair of Semi Detached Bungalows With Dormer Windows in Rear Elevation.

An officer summarised the description of the application on this site and explained that previous applications had been refused. It was however felt that the current application had addressed all outstanding concerns. Two objections had initially been raised regarding the development but one had subsequently been withdrawn.

In response to a question, an officer commented that there would be a low residual risk of hazardous substances contaminating the land. This was not considered to be problematic. The officer also commented that the statement referring to a contamination report having been prepared by the applicant was an error.

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

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

(8) 294 UXBRIDGE ROAD, HATCH END (APPLICATION 2/06)

Reference: P/0555/09/RH/MAJ – (Mr A Surace). Change of Use of Part of Ground Floor Shop (Class A1 Use) to Restaurant (Class A3 Use) with Ancillary A1 Retail Extract Flue on Rear Elevation, and Forecourt Seating Area.

DECISION: DEFERRED to allow for re-notification of the application.

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

(9) 32 OAKHILL AVENUE, PINNER, HA5 3DN (APPLICATION 2/07)

Reference: P/1102/09/SB5/W – (Mr Anwar Hasham). Demolition of Existing Dwellinghouse and Redevelopment to Provide 2 X 2 Storey Detached Dwellings With Integral Garages and New Vehicular Accesses.

An officer explained that this was the fourth application on this site. The last application had been scheduled to be presented to the Committee in November 2008 but had subsequently been withdrawn by the applicant's agent following publication. The officer advised that on balance, the proposal was considered to be acceptable although it was recognised that this was a sensitive area.

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

- whilst not fully referenced in the report, London Plan policies had been considered in the appraisal of the application. Although policy 4B1 had not been expressly stated in the report, it was considered in that the content of this policy was similar to that policies D4 and D5. Its omission would not have influenced the officer's appraisal of the proposed development;
- it was considered that the application had overcome previous reasons for refusal, however the Committee had to determine whether they agreed with this;
- officers had paid regard to all of the previous reasons for refusal for an application on the site submitted in 2007.

A Member of the Committee commented that there were concerns regarding the spaces between the dwelling and it was considered that there would be a detrimental impact on the streetscene and on the appearance of the area. It was also believed that the development would have a detrimental effect on 30 Oakhill Avenue.

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

The proposed development, by reason of its siting, design, scale and proximity to the site boundaries would result in a prominent and visually dominant form of development which would be detrimental to the character and appearance of the street scene and the amenities of 30 Oakhill Avenue, contrary to London Plan Policy 4B1 and HUDP policies D4 and D5.

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

Councillors Husain Akhtar, Marilyn Ashton, Don Billson, Julia Merison and Joyce Nickolay as having voted for the decision to refuse the application.

Councillors Keith Ferry, Thaya Idaikkadar and Jerry Miles as having voted against the decision to refuse the application.

(10) BRADENHAM WORKS, BRADENHAM ROAD, KENTON, MIDDLESEX, HA3 8NA (APPLICATION 2/08)

Reference: P/1046/09/NR/E – (Terry & Stephens Ltd). Redevelopment to Provide Single Storey Detached Building Containing Workshop and Storage Facilities (Class B1).

DECISION: DEFERRED for a Member Site Visit.

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

(11) 190 KENMORE AVENUE, HARROW, HA3 8PR (APPLICATION 2/09)

Reference: P/1486/09/NR/E – (Mr and Mrs P Patel). Single Storey Rear Extension and Detached Boiler House.

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.

(12) 224 HIGH ROAD, WEALDSTONE (APPLICATION 2/10)

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.

An officer highlighted changes regarding suggested conditions on the addendum. An officer corrected the number of proposed flats to 8, in the second paragraph under the Appraisal in the agenda. Officers pointed out that there had been a previous planning approval for 7 flats and highlighted the internal and external changes which was minor and involved no changes to height, footprint or building envelope. Officers advised that the applicant had requested a longer period for implementation. A Member pointed out that the ward was Wealdstone, and not Harrow Weald. A Member commented that a site visit had been conducted on this site and was an acceptable development.

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

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

(13) VAUGHAN FIRST AND MIDDLE SCHOOL, VAUGHAN ROAD, HARROW, HA1 4EL (APPLICATION 2/11)

Reference: P/1523/09/SM/W – (Harrow Council). Single Storey Extensions Within the School Compound and New Play Areas to the North of the First School; New Hardsurfaced Area to Provide Parking Adjacent to Boundaries Shared With 19-37(Odd) the Gardens and a Waiting Area to the North of the First School and External Alterations.

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.

(14) 28 ROXBOROUGH PARK, HARROW, HA1 3AY (APPLICATION 2/12)

Reference: P/1549/09/GL/C – (Mr I B Kathuria). Conversion of House in Multiple Occupation Into 7 Flats; Excavation of Part Rear Garden to Form Lightwell; External Alterations; Landscaping and Parking to Front Garden and Provision of Two Parking Spaces.

In response to a question, an officer advised that one of the grounds for refusal for a previous application related to 7 units being considered an excessive number of units for the development. However the planning inspectorate had not agreed with this argument at an appeal.

Members of the Committee commented that it would be prudent to conduct a site visit to investigate the development and its surroundings and also to be clear as to where the bins would be located.

DECISION: DEFERRED for a Member Site Visit.

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

(15) 5 WEST DRIVE, HARROW, HA3 6TX (APPLICATION 2/13)

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.

DECISION: DEFERRED for a Member Site Visit.

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

(16) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/14)

Reference: P/0330/09/DC/MAJ – (Tesco Stores Ltd). Installation of Car Park Signage.

An officer explained that the development comprised of a building which was previously used as a public house. There were 7 separate applications on this site.

During the discussion on this item, Members raised a number of queries which officers responded to as follows:

- the front extension towards Pinner Road was in line with neighbouring properties;

- the accommodation situated in the development would be available generally for anyone wishing to reside in them;
- there had been discussions regarding the negotiation of a Section 106 Agreement specifically to raise funds to install a pedestrian crossing near the development. However a crossing already existed in the vicinity and there was no requirement for a Section 106 Agreement;
- if the Change of Use was under permitted development, then no condition could be enforced relating to the opening hours of the premises. However there were other methods for enforcing opening hours which included statutory nuisance laws and licensing provisions;
- a car wash currently situated on the site was operating illegally and the matter had been referred to the Council's enforcement team.

DECISION: GRANTED consent 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.

(17) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/15)

Reference: P/0329/09/DC/MAJ – (Tesco Stores Ltd). Internally Illuminated Fascia and Projecting Sign Box Sign.

DECISION: GRANTED consent 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.

(18) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/16)

Reference 2/16: P/0325/09/DC/MAJ – (Tesco Stores Ltd). Single Storey Front Extension to Provide Additional Retail Floorspace With Associated Alterations to Ground Floor Elevations.

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.

(19) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/17)

Reference: P/0328/09/DC/MAJ – (Tesco Stores Ltd). Conversion of First Floor to Provide 2 X 1 Bedroom Flats and 2 Storey Rear Extension.

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.

(20) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/18)

Reference: P/0327/09/DC/MAJ – (Tesco Stores Ltd). Alterations to Existing Car Park to Include Two Additional Car Parking Spaces and Landscaping.

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.

(21) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/19)

Reference: P/0333/09/DC/MAJ – (Tesco Stores Ltd). Installation of ATM Unit Into Proposed Single Storey Front Extension.

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.

(22) THE APOLLO PUBLIC HOUSE, 259 PINNER ROAD, HARROW (APPLICATION 2/20)

Reference: P/0326/09/DC/MAJ – (Tesco Stores Ltd). Installation of Plant Equipment to Rear of Building Within a 1.5M Timber Fence.

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.

(23) LAND AT ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, BROCKLEY HILL, STANMORE, HA7 4LP (APPLICATION 3/01)

Reference: P/0856/09/NR/E – (Mr Paavan Popat). 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 for this item. An officer advised the Committee that the development was proposed to take place on green belt land and as a result had to either be acceptable as a development on a major development site that contributed to the attractiveness of the green belt area or demonstrate very special circumstances which outweighed the harm caused to the Green Belt. The officer advised that the applicant had contended that the development was acceptable as a replacement on a major development site and contributed to the green belt area. Officers did not hold the same view as the applicant because the development was substantially higher than that which it was replacing. The applicant had also argued that the development satisfied the criteria of very special circumstances due to several reasons. The first reason was that the building's design was exemplary in terms of architecture and in his view this reason solely justified a special circumstance.

The applicant had also submitted that the design met the requirements of Code Level 4 for sustainable homes; that it provided an opportunity for redevelopment and the overall enhancement of the landscape that was important to the management of the green belt and that it served to safeguard the scheduled ancient monument on the site.

After careful consideration by officers it was considered that the reasons singularly and/or collectively did not amount to very special circumstances that were sufficient to outweigh the prescription against inappropriate development in the green belt. The size, design and siting of the proposed house was also considered unacceptable.

As a result officers had recommended that the application be refused for the two reasons stated in the report. The officer referred to a response provided by the applicant in relation to the officer's report; the main points had been summarised in the addendum.

During the discussion on this item Member raised a number of queries which the officer responded to as follows:

- the design of the building was not considered to be so exceptional so as to warrant approval by virtue of very special circumstances;
- some of the buildings currently located within the proposed development site were locally listed and had an established residential use;
- the application was considered not to overcome the detriment caused to the green belt;
- every application had to be determined on its merits. Policy and interpretation by the courts had set rigorous criteria to be satisfied regarding developments on green belt land.

Members made a number of comments during the discussion on this item which included that:

- it was felt that the view of green belt land would be affected by this development;
- there was general agreement with the view of the development adopted by officers.

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

- 1) The proposed development would result in inappropriate development in the green belt, contrary to policy EP32 of the Harrow Unitary Development Plan (2004) and PPG2: Green Belts and no very special circumstances have been demonstrated by the applicant whereby the harm to the green belt by reason of inappropriateness would be outweighed by other considerations.
- 2) The proposed new dwelling, by reason of its design, siting and excessive bulk, would be visually prominent and would have an adverse impact on the open character of the land, to the detriment of the character and appearance of the area, the Green Belt and the Area of Special Character, contrary to policies D4, EP31 and EP32 of the Harrow Unitary Development Plan (2004) and PPG2: Green Belts.

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

(24) STONEGROVE AND SPUR ROAD ESTATES, EDGWARE, HA8 8PT (APPLICATION 4/01)

Reference: P/1855/09/SL/MAJ – (London Borough of Barnet). Reserved Matters Application Seeking Approval for Scale, Appearance and Landscaping in Relation to Character Zone 6 of the Redevelopment of Stonegrove and Spur Road Estates Comprising 98 Residential Units Pursuant to Condition 3 of Outline Planning Permission Reference W13582E/07 Dated 06/10/2008.

DECISION: INFORM the London Borough of Barnet that Harrow Council raises no objection to this application having any unacceptable impact on the Borough of Harrow.

The Committee wished it to be recorded that the decision to raise NO OBJECTION was unanimous.

57. **Planning Enforcement:**

The Committee received a report of the Divisional Director of Planning which contained information on an Enforcement Scheme of Delegation to allow officers to secure compliance with and prosecution of planning and related breaches. The Divisional Director added that the scheme of delegation had been produced in conjunction with Legal Services.

The Chairman commented that she was pleased with the document and felt that this was a better way to resolve issues for the future. The Chairman thanked the Divisional Director for his work.

RESOLVED: That the Enforcement Scheme of Delegation be approved.

58. **Planning Committee Site Visit Procedure Note:**

The Committee received a report of the Divisional Director of Planning which proposed changes to the procedure note on Planning Committee Site Visits.

In response to a question, the Chairman confirmed that site visits could be attended by Reserve Members provided they were acting as back up for an ordinary Member.

RESOLVED: That the amendments to the Procedure Note on Member Site Visits for Planning Applications and Main Agenda Items Deferred by the Planning Committee be endorsed.

59. **69 Elm Park, Stanmore:**

The Committee received a report of the Divisional Director of Planning which sought variations to conditions imposed on Planning Permission Reference P/1386/08/DFU.

RESOLVED: That (1) Condition 1 on Planning Permission Reference P/1386/08/DFU be removed;

(2) the variation of the Section 106 Agreement signed on 27 August 2007, increasing the number of medical practitioners from two to three be authorised.

60. **Planning Appeals Update:**

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

During the discussion on this item a Member commented that the information in the reports was being duplicated in other documents produced. It was therefore proposed that this report no longer be a standard agenda item for Planning Committee meetings.

The Divisional Director of Planning commented that it would be advisable to have half yearly reports provided to the Committee to provide more useful information generally on the status of appeals.

RESOLVED: That (1) the report be noted;

(2) the item Planning Appeals Update be removed as a Standard Agenda item from future Planning Committee meetings.

61. **Urgent Non-Executive Decision: North London Collegiate School:**

The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent decision which authorised the variation of a Section 106 Agreement relating to the site at North London Collegiate School, Canons Drive, Edgware to remove an area from the current building envelope in order to provide an equivalent area for development of the sports pavilion.

RESOLVED: That the report be noted.

62. **Urgent Non-Executive Decision: Edgware Town FC, Burnt Oak Broadway, Edgware:**

The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent decision which authorised the variation of a Section 106 Agreement relating to the site at Edgware Town FC, Burnt Oak Broadway, Edgware to include a clause requested by Transport for London (TfL) to allow for a deed of variation and decision notice to be produced.

RESOLVED: That the report be noted.

63. **Member Site Visits:**

RESOLVED: That Member Site Visits take place on Wednesday 23 September 2009 at 4.30 pm to the following sites:

- 9 Eastern Avenue, Pinner, HA5 1NU
- Bradenham Works, Bradenham Road, Kenton, Middlesex, HA3 8NA
- 28 Roxborough Park, Harrow, HA1 3AY
- 5 West Drive, Harrow, HA3 6TX

(Note: The meeting, having commenced at 6.30 pm, closed at 9.45 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman



Committee:	Planning Committee
Date:	14 October 2009
Subject:	INFORMATION REPORT – Urgent Non-Executive Decision: Gayton Road, Harrow
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

2.1 On 14 May 2008, the Strategic Planning Committee resolved to grant planning permission (refs no P/4126/07 and P/1254/08) for redevelopment of Gayton Road to provide 383 flats in five blocks ranging between four and ten storeys, subject to completion of a section 106 Agreement ('the Agreement') within six months of the Committee date. The major terms for the Agreement approved by the Committee included (among other things) the provision of affordable housing, the provision of a 200 space public car park and various financial contributions.

2.2 The Planning Committee further resolved to extend the time for completion of the Agreement by two calendar months from 24 June 2009. However, the Agreement could not be completed within that timescale due to a change of the name of the Developer and the time it took to register the new name at Companies House and at the Land Registry.

ACTION SOUGHT

To extend the period for completion of the section 106 agreement relating to Gayton Road by two weeks from the date of authority being granted.

Date of Request for Action: 7 September 2009

Reason for Urgency

The Applicant wished to complete the Agreement urgently.

The request to extend the time for completion of the Agreement came too late to meet the publication deadline for the Planning Committee meeting of 9 September 2009. The next Planning Committee was on 14 October 2009.

Decision: Officer recommendation agreed.

Section 3 – Further Information

None

Section 4 – Financial Implications

There are no financial implications

Name: Narinder Heer



on behalf of the
Chief Financial Officer

Date: 1 October 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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