

PLANNING COMMITTEE MINUTES

13 OCTOBER 2010

Chairman: * Councillor Keith Ferry

Councillors: * Mrinal Choudhury * Joyce Nickolay
* Stephen Greek * Bill Phillips (2)
* Thaya Idaikkadar * Simon Williams (1)

* Denotes Member present
(1) and (2) Denote category of Reserve Members

46. Attendance by Reserve Members

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

Ordinary Member

Councillor Anthony Seymour
Councillor William Stoodley

Reserve Member

Councillor Simon Williams
Councillor Bill Phillips

47. 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:

Councillor

Planning Application

| | | |
|-----------------|---|--|
| James Bond |) | 1/05 North Harrow Assembly Hall, Station Road, |
| Manji Kara |) | (including 34 and 36 Canterbury Road and 37 |
| Chris Noyce |) | and 39 Gloucester Road), Harrow, HA1 4PE |
| Bill Stephenson |) | |

48. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning Applications Received – 1/05 North Harrow Assembly Hall, Station Road, Harrow

Councillor Bill Stephenson declared a personal interest in that he was a member of the Headstone Residents Association. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received – 2/04 Elliot Hall Medical Centre, 167 Uxbridge Road, Hatch End

Councillor Keith Ferry declared a personal interest in that, together with his family, he was registered at the practice. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received – 2/06 390 Kenton Road, Harrow

Councillors Mrinal Choudhury, Stephen Greek, Manji Kara, Joyce Nickolay and Simon Williams declared a personal interest in that they had been visitors to the temple. They would remain in the room whilst the matter was considered and voted upon.

Councillor Thaya Idaikkadar declared a personal interest in that Cabinet, of which he was a member, had taken the decision to sell the land. He would remain in the room whilst the matter was considered and voted upon.

Councillor Navin Shah declared a personal interest in that he was a Ward Councillor for Kenton East and had visited the temple. He would remain in the room whilst the matter was considered and voted upon.

Councillor Rekha Shah declared a personal interest in that she was a regular visitor to the temple. She would remain in the room whilst the matter was considered and voted upon.

49. Minutes

RESOLVED: That the minutes of the meeting held on 15 September 2010 be taken as read and signed as a correct record.

50. Public Questions and Deputations

RESOLVED: To note that no public questions were put, or deputations received.

51. Petitions

RESOLVED: To note the receipt of the following petitions:

1. Petition containing 1254 signatures in support of the planning application 1/05 for the construction of a community centre at North Harrow Assembly Hall, Station Road, Harrow.
2. Petition containing 425 signatures objecting to the planning application 1/05 for the construction of a community centre at North Harrow Assembly Hall, Station Road, Harrow.

52. References from Council and other Committees/Panels

There were none.

53. Representations on Planning Applications

RESOLVED: That in accordance with

- (1) Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of item 1/05 on the list of planning applications;
- (2) Committee Procedure Rule 30.5, two representations be received in respect of item 1/3;
- (3) Committee Procedure Rule 25, Rule 30 be suspended to enable a representation to be received although a representation had been made in respect of item 2/05 at the previous meeting.

RESOLVED ITEMS

54. 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 Divisional Director Planning to issue the decision notices in respect of the applications considered.

TEMPLE HOUSE, 221-225 STATION ROAD, HARROW, MIDDLESEX, HA1 2TH (APPLICATION 1/01)

Reference: P/2016/09/FOD – (M P & G Trading). Outline Application: Demolition Of Existing Office Building And Re-Development Of Site For New Part 2, Part 3 And Part 4 Storey Hotel (Class C1).

The Chairman reported that the matter had been brought back to Committee because of comments received in the Mayor of London's Stage 2 report

requiring amendment to Condition 10 of the previous committee report and the addition of an extra condition on renewable energy.

DECISION: GRANTED permission for the development described on the application and submitted plans, subject to conditions and informatives reported, the completion of a Section 106 Agreement within six months and to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the Legal Agreement.

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

16-24 CANNING ROAD, WEALDSTONE, HA3 7SJ (APPLICATION 1/02)

Reference: P/1770/09/AH – (Construction Solutions Ltd Mr Mark Farmer). Redevelopment Comprising 51 Units (4 No. X Three-Bed, 20 No. X Two-Bed, 26 No. One-Bed And 1 No. Studio Apartment) Of Between Four And Six Storeys Landscaping, Parking And Refuse Storage (Revised Description).

The Chairman reported that a site visit had taken place.

DECISION: GRANTED permission for the development described on the application and submitted plans, subject to conditions and informatives reported, the completion of a Section 106 Agreement and to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the Legal Agreement within six months of the date of the permission.

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

Councillors Ferry, Choudhury, Idaikkadar and Phillips voted for the decision to grant the application.

Councillors Greek, Nickolay and Williams abstained on the decision to grant the application.

1-5 SUDBURY HILL, HARROW, HA1 3SB (APPLICATION 1/03)

Reference: P/1989/09/IH – (Messers Doyle, Losowski & Burgess). Demolition Of Five Detached Dwellings And Construction Of 54 Flats Comprising 11 1- Bed 26 2 –Bed 9-3 Bed 7-4 Bed And 1 4/5 – Bed With Photovoltaic Panels And Satellite Receivers At Roof Level Underground Parking – 54 Spaces Including 6 Disabled Spaces.

The Chairman reported that a site visit had taken place. In response to questions from Members it was noted that:

- the predicted traffic intensity of the site was low, with a maximum 15-20 cars at peak periods. This figure had been calculated using a national database for traffic generation;
- the accident data did not exceed the accepted average for junctions. The widening of the existing access for 5 Sudbury Hill would result in greater visibility;
- the parking provision on site was set at a higher level than for sustainable developments with one parking space for each property;
- the site was currently serviced by refuse vehicles off the highway so there would be little difference to present arrangements. Palladin bins would be located close to the highway to prevent the need for significant reversing. The responsibility for removing bins from the basement to the ground floor would normally be the responsibility of the management company;
- the effect on the cycle network provision would be minor as it was currently disjointed in the area. The section 278 agreement included the reinstallation of kerbs;
- the £10,000 bond was for unforeseen circumstances such as minor adjustments to the highway;
- the application was for comprehensive redevelopment and not garden land development;
- the properties complied with Lifetime Homes standards with some being wheelchair accessible which required greater size. A daylight and sunlight assessment provided by the Applicant indicated acceptable levels.

The Committee received representations from two objectors, Alan Evans and Neil Rands, and a representative of the Applicant, Mr Reed.

It was moved and seconded that permission for the development be refused for the following reasons:

- the proposed development by reason of its scale, bulk, massing and site coverage constitutes an overdevelopment and would be unduly obtrusive and overbearing, and would be out of character with neighbouring properties which comprise mainly two storey houses, and would not respect the scale and form of those properties appearing inconsistent with the exiting pattern of development, to the detriment of the visual and residential amenities of neighbouring residents and the character of the area, contrary to policy 4B.1 of the London Plan 2004, policies D4, D5 and D9 of the Harrow Unitary Development Plan 2004;
- the proposed development, by reason of inadequate measures to mitigate traffic congestion resulting from the scheme and failure to

consider future increases in traffic flow in the area, would be detrimental to the adjacent road junctions, which are already operating in excess of capacity, to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway in the area, contrary to Harrow UDP Policy T6;

- the proposal constitutes an unacceptable loss of residential garden land, which has recently been reclassified under Planning Policy Statement 3 so that it can no longer be regarded as 'previously developed land', and therefore does not conform to policy EP20;
- the proposal constitutes an unacceptable loss of family housing and includes a poor mix of dwelling sizes, contrary to the housing needs of the Borough, and is therefore contrary to policy H7;
- insufficient parking has been provided at this site, below the usual standard, in an area of low public transport accessibility contrary to policy T13.

Upon being put to the vote the motion to refuse was lost. The recommendation that planning permission be granted as recommended in the report was put to the vote and carried.

DECISION: GRANTED permission for the development described on the application and submitted plans, as amended on the addendum, subject to conditions and informatives reported, the completion of a Section 106 Agreement within six months and authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the Legal Agreement.

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

Councillors Ferry, Choudhury, Idaikkadar and Phillips voted for the decision to grant the application.

Councillors Greek, Nickolay and Williams voted against the decision to grant the application.

LAND REAR OF 65 BRIDGE STREET, PINNER HA5 3HZ (APPLICATION 1/04)

Reference: P/1966/09/IH - 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].

It was noted that the application, which was granted permission on 14 October 2009, was required to be reconsidered by Members as the section 106 agreement had not been completed in the six month timeframe provided by the Committee in October 2009.

DECISION: GRANTED permission for the development described on the application and submitted plans, subject to conditions and informatives reported, the completion of a Section 106 Agreement within six months and authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the Legal Agreement.

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

NORTH HARROW ASSEMBLY HALL, STATION ROAD, [INC 34 AND 36 CANTERBURY ROAD AND 37 AND 39 GLOUCESTER ROAD], HARROW, MIDDLESEX HA1 4PE (APPLICATION 1/05)

Reference: P/1953/10/SL – (B W Foundation Limited). Demolition Of All Existing Buildings On The Site And Construction Of A Community Centre Comprising A Sports Hall, Gyms, Prayer Hall, Library With Seminar Rooms And Ancillary Café / Restaurant And Children’s Play Centre [Revised Application].

The Divisional Director Planning reported that a site visit had taken place. He informed the Committee that the site had an established use for community facilities. The resubmission sought to respond to the reasons for refusal by the Planning Committee in July 2009. This had led to the deletion of the flats and nursing home elements and the redesign and reconfiguration of the proposal which had resulted in a reduction of the floorspace from 8424 square metres to 5132 square metres.

In considering the application the Planning Committee needed to have regard to:

- the requirement to balance competing policy considerations: the removal of three houses and a nursery was contrary to policy whilst the Unitary Development Plan and policy of the Mayor of London was to enhance and improve community facilities;
- the application site was within a flood risk zone. The Applicant had engaged with the Environment Agency and submitted a Flood Risk Assessment that sought to respond to PPS25 and the assessment of consequential risks. The Environment Agency considered that that there was no additional flood risk provided certain conditions were met and had not objected to the proposal. The Drainage Team was satisfied that the culverted water course was now adequately addressed;

- the physical impact of the building and uses on the amenities of the area, car parking and traffic concerns and the design assessment. Analysis of these issues were outlined in the appraisal.

In response to questions from Members it was noted that:

- the proposed hours of use were considered by officers to be consistent with development on the edge of a local centre;
- the present intensity of traffic movements was disputed and was affected by attendance at Friday lunchtime prayers. The applicants had suggested that a reduction in numbers was envisaged when the Harrow central mosque opened;
- the £20,000 bond amounted to a financial penalty, attached to the green travel plan to incentivise achievement of the mode shift targets in the Green Travel Plan. Failure to achieve the targets could result in the bond being used to promote/publicise the public car park in North Harrow and other modes of transport;
- with regard to the former air-raid shelter, the officers were unaware of this structure but this had not been previously highlighted by the conservation team and the structure was not listed and did not fall within a conservation area;
- the application proposals included measures to improve surface water management on the site and thereby offer some contribution to managing the impacts of climate change and potential flood risk;
- there were currently no planning conditions regarding opening or closing times nor capacity of the existing buildings on the site. Based upon British standards the potential theoretical capacity of the existing building was in the order of 800 plus;
- it was proposed to remove the surrounding hedge and a number of trees;
- there was no suggestion within the application of a call to prayer, the site's primary function was not as a mosque;
- the proposed voluntary inclusion of two non-muslims on the board of the community organisation may be offered by the applicants to the Council/community but could not be justified as a S106 planning obligation and could not therefore be given significant weight as a material planning consideration.

The Committee received representations from an objector, Mike Moth, and a representative of the Applicant, Dr Nizar Merali.

The Committee requested that officers consult local residents and ward Councillors on the event management days.

DECISION: (1) GRANTED permission for the development described in the application and submitted plans, as amended on the addendum, subject to conditions and informatives reported and the prior completion of a Section 106 legal agreement with the Heads of Terms as set out in the report but amended to include that:

- (iii) **Capacity:** The development hereby permitted shall not be occupied by more than 250 persons at any time except on Event Management Days;
- (iv) **Event Days Management:** Prior to first use of any part of the development, the applicant shall submit in writing to the Director of Planning, details of an Event Management Plan/Strategy for marshalling of users of the development for Event Days. [Event days are considered as weddings, birthdays or any other function outside of the normal operation of the development, which would exceed the maximum permitted number of people on-site [250] at any one time but shall not exceed more than 500 persons]. Such details of an Event Management Plan/Strategy shall thereafter be reviewed bi-annually to be submitted to and approved in writing by the Director of Planning and shall remain in force unless otherwise stated in writing by the Director of Planning.
- (v) **Maximum Number of Event Days:** There shall be no more than six Event Days per calendar year [Jan-Dec inclusive] unless otherwise agreed in writing by the Director of Planning, not less than 35 days prior to such additional events occurring.

(2) the Divisional Director Planning in consultation with the Director of Legal and Governance Services be delegated to complete the Section 106 legal agreement and issue of the planning permission subject to minor amendments to the conditions or the legal agreement;

(3) should the Section 106 Legal Agreement not be completed within three months of the date of the Planning Committee, the decision to REFUSE planning permission be delegated to the Divisional Director of Planning for the following reasons:

The proposed development, in the absence of a completed Section 106 Legal Agreement would result in unacceptable and adverse impacts upon the amenities of surrounding properties and would lead to unmanaged and indiscriminate parking on the local highway network with consequent harm to highway safety and residential amenity, contrary to Policies 6A.4 and 6A.5 of the London Plan [2008].

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

**HARROW ARTS CENTRE, UXBRIDGE ROAD, HATCH END, HA5 4EA
(APPLICATION 2/01)**

Reference: P/2076/10/GL – (Harrow Council). New Single Storey Modular Building To Replace Existing Greenhill Building.

The Chairman reported that the application was referred to the Planning Committee as the site was owned by Harrow Council and the floorspace proposed was over 100 squared metres.

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

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

54 RICHMOND GARDENS, HARROW, HA3 6AJ (APPLICATION 2/02)

Reference: P/1819/10/GL – (Mr Ramesh Parmar). Single Storey Rear Extension.

The Chairman reported that the application was referred to the Planning Committee as the applicant's spouse was employed by Harrow Council.

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

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

**LAND ADJACENT TO 29 SUMMIT CLOSE, EDGWARE, HA8 6EJ
(APPLICATION 2/03)**

Reference: P/1146/10/OS – (Mr C. Criscuolo). Demolition Of 2 Blocks Of Lock Up Garages; Redevelopment To Provide Three Detached Single Storey Houses With Parking (Revised).

The Committee was informed that the report had been resubmitted due to minor alterations to siting. In response to a question from a Member, it was reported that the scheme provided for individual refuse bins.

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

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

**ELLIOT HALL MEDICAL CENTRE, 167 UXBRIDGE ROAD, HATCH END,
HA5 4EA (APPLICATION 2/04)**

Reference: P/1983/10/GL – (Dr Christopher Jenner). Modify Section 106 Agreement To Planning Permission West/756/97/Ful To Change The Opening And Closing Times; Numbers Of Visitors Staff And Patients.

DECISION: APPROVED modification of the section 106 Agreement which restricted the opening and closing times, number of visitors, staff and patients, subject to the applicant entering into a deed of variation to delete obligations 1, 2, 3 and 6 of The Second Schedule of the section 106 Agreement.

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

**OBSERVER HOUSE, 34 GREENHILL WAY, HARROW, HA1 1LE
(APPLICATION 2/05)**

Reference: P/0675/10/AH – (Jaya Shree Krishna Charitable Trust). Change Of Use Of Ground And First Floor Levels From Office To Hostel For Men Not Requiring Care (Class B1 To Sui Generis).

It was noted that a site visit had taken place. The application had been deferred from the last meeting to enable further information on the type of residents to be accommodated in the hostel to be obtained. A letter had been received from the applicant outlining the application process for people who would use the hostel.

The Committee received representations from an objector, Eileen Kinnear and a representative of the Applicant, Mr Dharmecha.

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

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working. All building works in relation to the permitted change of use, shall be carried out between 0800 hours and 1800 hours Mondays to Fridays, between 0800 hours and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

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

390 KENTON ROAD, HARROW, HA3 9DS (APPLICATION 2/06)

Reference: P/0829/10/AH – (Skss Temple). Ground, First And Second Floor Extensions And Three Storey Extensions To Existing Community School And Link To Existing Temple (Revised).

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

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

**REAR OF 10C – 12C STATION PARADE, NORTHOLT ROAD, HA2 8HB
(APPLICATION 2/07)**

Reference: P/1767/10/SM – (Better Properties Limited). Two X Two Storey Dwellinghouses At Rear Of 10-12 Station Parade (Semi-Detached) And Provision Of Access Balcony From Station Parade; Associated Car Parking Behind 10 Station Parade.

DECISION: GRANTED permission for the development described on the application and submitted plans reported.

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

55. Member Site Visits

RESOLVED: To note that there were no site visits to be arranged.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.44 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman