

PLANNING COMMITTEE MINUTES

16 MARCH 2011

Chairman: * Councillor Keith Ferry

Councillors: * Mrinal Choudhury * Joyce Nickolay
* Stephen Greek * William Stoodley
* Thaya Idaikkadar * Simon Williams (1)

* Denotes Member present
(1) Denotes category of Reserve Members

109. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Anthony Seymour

Councillor Simon Williams

110. 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:

Councillor

Planning Application

Mrs Camilla Bath

2/03 Aylmer Drive, Stanmore, HA7 3EJ

111. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning Applications Received – 1/07 Eaton House, 152-158 Northolt Road, South Harrow HA2 0PG

Councillor Mrinal Choudhury declared a prejudicial interest in that he knew the applicant. He would leave the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received -2/03 Aylmer Drive, Stanmore, HA7 3EJ

Councillor Stephen Greek declared a personal interest in that a family friend lived at the other end of the Drive. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received – 3/01 Botwell Court, 118-120 Headstone Road, Harrow

Councillor Thaya Idaikkadar declared a prejudicial interest in that he knew the applicant. He would leave the room whilst the matter was considered and voted upon.

Agenda Item 14 – Wood Farm – Discharge of Condition 19

Councillor Thaya Idaikkadar declared a prejudicial interest as the Portfolio Holder for Property and Major Contracts. He would leave the room whilst the matter was considered and voted upon.

112. Minutes

RESOLVED: That the minutes of the meeting held on 9 February 2011 and the Special meetings held on 24 February 2011 be taken as read and signed as a correct record.

113. 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.

114. References from Council and other Committees/Panels

RESOLVED: There were none.

115. 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 2/01 on the list of planning applications;

- (2) Committee Procedure Rule 30.5, two representations be received in respect of item 2/03.

RESOLVED ITEMS

116. 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 Head of Planning to issue the decision notices in respect of the applications considered.

CHANDOS PARADE, BUCKINGHAM ROAD, EDGWARE, HA8 6HW (APPLICATION 1/01)

Reference: P/3080/10 – (Safeland PLC). Redevelopment for a Part 2, Part 3 Storey Building to Provide 10 Flats with Access and Parking (Retrospective Application).

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

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

KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE, HA8 6ES (APPLICATION 1/02)

Reference: P/2046/10 (Mr Nitesh Gor). Variation of Condition 9 Attached to Planning Permission P/1282/07/CFU Dated 10/03/2008 to Read 'The Site Levels Shall Be Maintained In Accordance With The Levels Shown On Cottrell And Vermeulen Drawing Number 0236 PL26 Revision A, Unless Otherwise Approved In Writing By The Local Planning Authority'.

Variation of Condition 17 Attached to Planning Permission P/1282/07/CFU Dated 10/03/2008 to Read 'The Lighting Shall Be Maintained In Accordance With Drawing Number V(21)006 Rev 1 And Schedule V(21) 501c Revision D. Details Of Any Additional Lighting Shall Be Submitted To, And Approved In Writing By The Local Planning Authority, Prior To The Installation Of The Lighting'.

DECISION: GRANTED variation to conditions 9 and 17 as described on the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported and an amendment to condition 4 to read:

4. All lighting hereby permitted shall not be used outside the following times:

07.00 hours to 21.00 hours, Monday to Sunday

REASON: To safeguard the amenities of neighbouring residents, in line with the requirements of saved Unitary Development Policy D23.

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

EDGWARE TOWN FOOTBALL CLUB, BURNT OAK BROADWAY, EDGWARE, HA8 5AQ (APPLICATION 1/03)

Reference: P/0428/11 – (Edgware Developments Ltd). Modify Section 106 Agreement to Planning Permission P/1941/07/COU Dated 22/04/10 to Allow a Cascade Arrangement to Determine the Level of Affordable Housing Provision.

DECISION: DEFERRED to enable examination of supporting information.

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

NORTH SIDE CAR PARK, GREENHILL WAY, HARROW, HA1 2TL (APPLICATION 1/04)

Reference: P/3406/10 – (Shiv Properties). Modify Section 106 Agreement to Planning Permission P/1721/08CFU Dated 10/03/2009 to Change Proportion of Affordable Housing at the Proposed Development.

DECISION:

- (1) GRANTED permission for the modification of the section 106 agreement which regulates the proportion of the affordable housing at the application site as described on the application and submitted plans, subject to the applicant entering into a deed of variation with Head of Terms as set out in the report;
- (2) the delegation to the Divisional Director, Planning in consultation with the Director of Legal and Governance Services, for the sealing of the S106 agreement and to agree any minor amendments to the conditions or the legal agreement be approved.

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

WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW, HA2 0AS (APPLICATION 1/05)

Reference: P/3389/10 – (Whitmore High School). Variation of Condition 23 Attached to Outline Permission P/0892/08COU Dated 23/05/2008 to Allow an

Extension of Opening Hours of the Site for Community Purposes until 2300 on Fridays and Saturdays.

DECISION: GRANTED permission for the variation of condition 23 as described on the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported.

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

1-14 AND 15-38 SWIFT CLOSE AND 1-8 AND 9-16 DRINKWATER ROAD, HARROW (APPLICATION 1/06)

Reference: P/3479/10 – (Home Group). Variation of Condition 23 of Planning Permission (Approved Plans) P/0405/10 Dated 20/07/2010 as Amended by Approval P/2854/10 Dated 14/12/2010 to Restrict Access to Roof Terraces and Amend Design of Oriel Windows.

DECISION: GRANTED permission for the variation of Condition 23 as 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 variation was unanimous.

EATON HOUSE, 152-158 NORTHOLT ROAD, SOUTH HARROW, HA2 0PG (APPLICATION 1/07)

Reference: P/3363/10 – (Mr Sudipto Bose). Change of Use of First and Second Floors from Office (B1) to Educational Use (D1c).

In response to a question, it was noted that the application was for a temporary period of five years at the end of which the use would revert to B1. The applicant would have the opportunity to apply for an extended period which would be assessed.

DECISION: GRANTED permission for the change of use as described on the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported.

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

FORMER GOVERNMENT OFFICES, HONEYPOT LANE, STANMORE, HA7 1BB (APPLICATION 1/08)

Reference: P/0531/11 – (Berkeley Homes). Modify Section 106 Agreement to Planning Permission P/2317/06/CFU Dated 12/11/2007 to Extend the Period for the Provision of Public Art to 31st December 2011 at the Latest, or to Provide the Council with the Sum of £50,000 to Secure the Delivery of the Public Art on the Site.

In response to questions, it was noted that:

- the applicant would have until 31 December 2011 to supply the art and only after the date, if the art was not provided, would the payment be made to the Council;
- the applicant had indicated that the supply of art by the Harrow Heritage Trust on its behalf would be acceptable;
- it was the intention to locally source the artwork;
- any ideas from Members as to the art to be provided should be conveyed to Harrow Heritage Trust.

DECISION:

- (1) GRANTED permission for the modification of the section 106 agreement which required the provision of public art as described on the application and submitted plans, as amended by the addendum, subject to the applicant entering into a Deed of Variation of the Head of Terms as set out in the report and addendum;
- (2) the delegation to the Divisional Director, Planning in consultation with the Director of Legal and Governance Services, for the completion of the S106 agreement and to agree any minor amendments to the conditions or the legal agreement be approved.

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

LAND AT KING HENRY MEWS, HARROW, HA1 3LW (APPLICATION 2/01)

Reference: P/3440/10 - (Kings Head Rent Charge Management Ltd). New Steel Gates to Entrance from Byron Hill Road.

It was reported that a site visit had taken place.

During discussion on the application Members asked a number of questions which were responded to as follows:

- the officers had been unable to ascertain whether it was possible to get through the gap between the gates but considered it unlikely. It was confirmed by the applicant's representative that it would not be possible to get through this gap;
- the arch in the middle of the gate was slightly higher than the existing design. The applicant had indicated the wish that the application be considered on the submitted design only;
- it was possible that a significant increase in the gate height would conflict with conservation policies;

- achievement of maximum security was not a material planning consideration;
- the Council's Conservation Officer had raised no objection to the proposed gates, subject to the stipulation that they were painted black.

The Committee received representations from an objector, Eileen Kinnear, and a representative of the applicant, Tim Harris.

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 voting was as follows:

Councillors Choudhury, Ferry, Idaikkadar and Stoodley voted to grant the application.

Councillors Greek, Nickolay and Williams abstained.

LAND ADJACENT TO THE HERMITAGE, 776 KENTON LANE, HARROW, HA3 6AF (APPLICATION 2/02)

Reference: P/3505/10 – (Mr Nicholas Rishover). Two Storey Detached Dwelling House; Associated Parking, Refuse and Landscaping.

The Chairman reported that a site meeting had taken place.

In response to a question it was noted that there was one parking space for each dwelling. The Committee indicated that it had no objection to the application but noted that the consultation period did not expire until 17 March 2011.

DECISION: DELEGATION to Divisional Director Planning to determine the application for the development described on the application and submitted plans following the end of the consultation period, as amended by the addendum, subject to conditions and informatives reported.

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

3 AYLMER DRIVE, STANMORE, HA7 3EJ (APPLICATION 2/03)

Reference: P/3429/10 – (Mr Ramesh Kerai). Single/Two Storey Detached House with Basement and Rooms in Roofspace, Existing Garage to be Retained.

The Chairman reported that a site visit had taken place.

During discussion on the application Members asked a number of questions which were responded to as follows:

- there were not any stained glass windows in the previous dwelling;
- there would be dormers on both sides;
- there was no specific requirement within the current Supplementary Planning Document regarding rear to rear distance. It was considered that the 22 metres was sufficient. The upper windows were in the same position from the rear as the previous property;
- the footprint of the former house was 108 square metres and the application was for 146 square metres;
- entrances to the basement from both the house and the garage were indicated;
- planning permission was not required to demolish a locally listed building. A Method Statement would be required

A Member expressed the view that the recent guidance regarding development sited on private garden land that had not been previously developed was a material change since the previous application for the site.

The Committee received representations from two objectors, Marilyn Ashton and Mr Radia, and a representative of the applicant, Richard Henley.

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

- (1) The proposed dwelling by virtue of its size, design, siting within the plot and relationship to the site boundaries, would appear as an obvious alien feature within the site, inconsistent with the established character and appearance of the area, contrary to Planning Policy Statement 1, Planning Policy Statement 3, London Plan policy 4B.1 and saved policies D4 and D5 of the Harrow Unitary Development Plan (2004)
- (2) Part of the development would be sited on private garden land, not previously developed, which would represent an inappropriate form of development, contrary to saved policy EP20 of the Harrow Unitary Development Plan (2004) and the guidance set out under Planning Policy Statement 3: Housing (2010). There is insufficient need or policy benefit that would arise from this development that would justify a departure from adopted policy.

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

**RAEBARN HOUSE, 100 NORTHOLT ROAD, SOUTH HARROW, HA2 0DT
(APPLICATION 2/04)**

Reference: P/3137/1 – (Bellway Homes). Change of Use of Part First Floor from Commercial to 8 Self Contained Flats (Use Class C3).

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

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

**BOTWELL COURT, 118-120 HEADSTONE ROAD, HARROW, HA1 1PF
(APPLICATION 3/01)**

Reference: P/3216/10 - (Mr K Sabaratnam). Provision of Two Flats within Mansard Roof Space together with Roof Lights to Front and Rear Roof Slopes (Revised).

DECISION: REFUSED permission for the development described on the application and submitted plans, as amended by the addendum, for the reasons set out in the report.

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

**DEVONSHIRE HOUSE, 582 HONEYPOT LANE, STANMORE, HA7 1NR
(APPLICATION 3/02)**

Reference: P/2724/10 – (Elizabeth College Limited). Change of Use of Part of the First Floor from Office To Educational Use (Class B1 To D1).

DECISION: REFUSED permission for the development described on the application and submitted plans, as amended by the addendum, for the reasons set out in the report.

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

**ALPINE HOUSE, HONEYPOT LANE, LONDON, NW9 9RU (APPLICATION
4/01)**

Reference: P/0321/11 – (London Borough of Brent). Consultation from Neighbouring Authority: Extension to Time Limit of Planning Permission 08/1427 Dated 13/08/2008 for Demolition of Existing Commercial Units and Erection of 3 X Four-Storey Blocks and 1 X Five-Storey Block, Comprising 120 Self-Contained Flats, 1,823m² of Commercial Floorspace (Use Class B1) and 5 Live/Work Units, with 86 Car-Parking Spaces, Bicycle and Bin Storage and Associated Landscaping (Accompanied By Design And Access Statement, Energy Assessment, Noise Assessment, Flood Risk Assessment, Arboricultural Report, Transportation Assessment and Planning Statement).

DECISION: NO OBJECTION raised.

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

**STONEGROVE AND SPUR ROAD ESTATES, EDGWARE, HA8 8BT
(APPLICATION 4/02)**

Reference: P/0289/11 – (London Borough of Barnet). Consultation from a Neighbouring Authority: Reserved Matters Application Seeking Approval for Scale, External Appearance and Landscaping in Relation to Development Phase 2 (Comprising Part of Character Zones 2 and 4) of the Redevelopment of Stonegrove and Spur Road Estates Comprising 107 Residential Units, including 19 Houses, Pursuant to Condition 3 of Outline Planning Permission Reference W13582E/07 Dated 06/10/2008.

DECISION: NO OBJECTION raised.

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

**LAND OUTSIDE BOVEDA, GREEN LANE, STANMORE, HA7 3AB
(APPLICATION 5/01)**

Reference: P/0365/11 – (Harlequin Ltd). Prior Approval for Installation of One Equipment Cabinet (1.6m X 1.2m X 0.45m) (Applicant Ref: 517575 192604) (PCP: 023).

DECISION:

- (1) That prior approval was required;
- (2) REFUSE prior approval of siting and appearance for the development as described in the application and submitted plans for the reasons stated in the report.

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

**LAND OPP STANMORE STATION, LONDON ROAD, STANMORE, HA7
4PD (APPLICATION 5/02)**

Reference: P/0330/11 – (Harlequin Ltd). Prior Approval for Installation of One Equipment Cabinet (1.6m X 1.2m X 0.45m) (Applicant Ref: 517575 192604) (PCP: 012).

DECISION:

- (1) That prior approval was required;
- (2) REFUSE prior approval of siting and appearance for the development as described in the application and submitted plans for the reasons stated in the report.

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

LAND AT THE JUNCTION OF MARSH ROAD & CECIL PARK FRONTING PINNER LIBRARY, PINNER, HA5 5NQ (APPLICATION 5/03)

Reference: P/0283/11 – (Harlequin Ltd). Prior Approval for Siting and Appearance; Installation of One Equipment Cabinet (1.6m X 1.2m X 0.45m) (Applicant Ref: 512274 189286) (PCP:037).

DECISION:

- (1) That prior approval was required;
- (2) REFUSE prior approval of siting and appearance for the development as described in the application and submitted plans for the reasons stated in the report.

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

LAND OPP STANMORE STATION, LONDON ROAD, STANMORE, HA7 4PD (APPLICATION 5/04)

Reference: P/0399/11 – (Open Reach). Prior Approval for Installation of One Equipment Cabinet (1.41m X 0.37m X 1.21m) (Applicant Ref: 517575 192604) (PCP: 012).

The Committee was informed that the cabinet would replace an existing cabinet.

DECISION:

- (1) That prior approval was required;
- (2) GRANT prior approval of siting and appearance for the development as described in the application and submitted plans for the reasons stated in the report.

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

117. St Georges Field Public Enquiry - Section 106 Agreement

The Committee received a report regarding St. Georges Church Sports Ground which sought authority to negotiate terms for a section 106 agreement and planning conditions with the applicant ahead of a forthcoming inquiry into the Council's refusal of the outline planning application submitted by the applicant for redevelopment of the application site.

RESOLVED: That

- (1) the Divisional Director of Planning, in consultation with the Chairman of the Planning Committee and Nominated Member, be authorised to agree the terms for a Section 106 planning agreement with the

appellants (or their agents) ahead of the forthcoming Planning Inquiry, to secure the items listed in the report;

- (2) the Divisional Director of Planning, in consultation with the Chairman of the Planning Committee, and Nominated Member be authorised to agree the list of proposed conditions with the appellant, (or their Agents) prior to the planning inquiry.

118. Member Site Visits

RESOLVED: A Member suggested a site visit to Botwell Court, 118-120 Headstone Road, Harrow, in relation to a new application which would be reported to the Committee in April.

119. Wood Farm - Discharge of Condition 19

In accordance with the Local Government (Access to Information) Act 1985, the Committee considered a report from the Divisional Director, Planning which sought authorisation for the approval of details submitted in connection with planning condition 19 to the planning permission for the development of ten dwellings and a country park, on Council owned land at Wood Farm in Stanmore. The report was admitted late to the agenda to enable early progress with the realisation of the public benefit (Country Park) associated with the development. Due to the late submission of technical information required to undertake the assessment, the report had not been available at the time the agenda was printed and circulated.

The officer reported that that the recommendation with regard to part 4 of condition 19 was no longer required.

In response to a question by a Member, it was noted that the Section 106 agreement had been signed on 17 November 2009. The officer was not aware of any negotiations to modify the head of terms. Any request for a modification would be submitted to the Committee..

RESOLVED: That the details submitted pursuant to parts 1, 2 and 5 of condition 19 to planning permission ref P2203/06/CFU granted on appeal (APP/M5450/V09/2092566) on 17 November 2009 be approved.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.10 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman