

PLANNING COMMITTEE

MINUTES

5 SEPTEMBER 2012

Chairman: * Councillor Keith Ferry

Councillors: * Mrinal Choudhury * Joyce Nickolay
* Stephen Greek * Bill Phillips
* Manji Kara (2) * William Stoodley

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

297. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Stephen Wright

Councillor Manji Kara

298. Right of Members to Speak

RESOLVED: That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

299. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10: Planning Applications – 1/02 Krishna Avanti Primary School
Councillor Mrinal Choudhury declared a non-pecuniary interest in that he knew some parents of pupils who attended the Krishna Avanti Primary

School. As a Previous Mayor he had also attend Harrow High School Academy. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10: Planning Applications – 2/05, 2/06 and 2/07 Bentley Priory, The Common, Stanmore

Councillor Mrinal Choudhury declared a non-pecuniary interest in that as a previous Mayor he had attended the Bentley Priory site. He would remain in the room whilst the matter was considered and voted upon.

300. Minutes

RESOLVED: That the minutes of the meeting held on 11 July 2012 be taken as read and signed as a correct record.

301. Public Questions

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

302. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

303. 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 1/02 on the list of planning applications.

RESOLVED ITEMS

304. 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.

(APPLICATION 1/01) 1 ELIOT DRIVE, HARROW

Reference: P/1208/12 (Home Group Limited). Outline Application for Access, Layout and Scale as Part of Rayners Lane Estate Regeneration: Redevelopment to Provide 152 Dwellings Comprising a Mix of Houses and Flats Within 2, 3 and 4 Storey Buildings; Associated Car Parking and Communal Open Space; Demolition of Existing Buildings.

An Officer reported that this was an outline application for access, layout and scale as part of phase G of the Rayners Lane Estate Regeneration. A previous outline planning application had been approved in 2002 for the demolition of all resiform block of flats and replacement of 450 new homes for rent and a further 285 properties for private sale to subsidise the regeneration of the estate.

The Officer further reported that Members had conducted a site visit and the current application was consistent with the previous outline permission granted.

A Member expressed her surprise that 3 'speed tables' would be established on a short stretch of road and that there would be a road straightening process. There were concerns that this would lead to further costs for the developer.

DECISION: GRANTED planning permission for the development described in the submitted plans and application, subject to conditions and informatives reported and subject to referral to the Greater London Authority (GLA).

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

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

Reference: P/0046/12 (The I – Foundation). Variation of Condition 14 (Use Class Restriction) of Planning Permission Ref: P/1282/07 Dated 8 April 2008 From 'The Land and Buildings, Except for the Multi Use Playing Areas Shall be Used for the Purpose Specified on the Application and for no Other Purpose or for the Hire of the Premises for any Purpose, Including Any Other Purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (Or in any Provision equivalent to that Class in any Statutory Instrument Revoking and Re-Enacting that Order with Or Without Modification)' to 'The Land and Buildings, Except for the Multi Use Playing Areas Shall be used for Primary Education Only and for no Other Purpose and Shall not be Used or Hired for any Purpose, Including Any Other Purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (Or in any Provision Equivalent to that Class in any Statutory Instrument Revoking and Re-enacting that Order with or Without Modification)'. Variation of Condition 19 (Restriction of Use of School by Pupils and Staff Only) of Planning Permission Ref: P/1282/07 Dated 8 April 2008 from 'The School Hereby Permitted Shall be Used Solely by the Pupils and Staff and Shall not be Used, Hired or Made Available for Use by Any Other Party' to 'The Land and Buildings Hereby Permitted Shall Be Used for Primary Education Only and Shall Not be Used, Hired or Made Available for Use by Any Other Party'.

An Officer reported that the application related to the variation of 2 conditions. The variation had been requested because the Free School established on this site would be split between this site and another and as a result the conditions were overly restrictive to allow for this scenario.

The Officer reported that the addendum had contained amendments to the conditions to ensure that any variation would only be permissible for a period of one year. This allowed for a comprehensive consideration of any impacts which may take place. The Free School proposal was not earmarked permanently for this site and allowing temporary permission would allow for reconsideration in the future as proposals were developed.

In conjunction with this application the Committee received representations from an objector, Mr Welby who raised concerns relating to the hiring out of the premises and the potential negative impacts to local residents. In response to this representation, the Officer clarified that the original application had sought to remove the conditions entirely. However the Council had made it clear to the applicant that this approach would not be supported and as a result only variations to the conditions were being sought. This would not allow the hiring out of the premises.

In response to a query raised by a Member, the Officer confirmed that monitoring of any permission granted would take place through engagement with the applicant for a permanent site for the Free School. Additionally the Committee could also re-consider the issues in the future if an extension was required or if there was an alternative proposal.

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

(APPLICATION 1/03) THE HIVE FOOTBALL CENTRE (FORMERLY PRINCE EDWARD PLAYING FIELD), CAMROSE AVENUE, EDGWARE

Reference: P/1693/12 (Football First). Variation of Condition 17 (Floodlighting) of Planning Permission Ref: P/0002/07 Dated 8 April 2008 from 'The Floodlighting Hereby Permitted for Playing Surfaces Shall Only be Used on any day up to 22.00 Hours Except When Evening Matches are Being Played at the Main Stadium when Floodlighting Shall Only Be Used up to 23.00 Hours' to 'The Floodlighting Hereby Permitted for Playing Surfaces Shall Only be Used on any day up to 22.30 Hours Except When Evening Matches Are Being Played at the Main Stadium When Floodlighting Shall Only be Used up to 23.00 Hours'.

Variation of Condition 18 (External Lighting) From 'All Exterior Lighting Other Than Floodlighting Shall be Extinguished on any day not Later Than 2230 Hours, Except Lighting Not More Than 1M Above the Finished Road or Car Park Level That Shall be Extinguished Not More than 60 Minutes After the End of Any Match or Event' to 'Exterior Lighting Other Than Floodlighting Shall be Extinguished on any day not later than 2300 hours Except Lighting in the Main Car Park Which Shall be Extinguished Not Later Than 23.30 Hours. When Holding a Match or Event, Lighting Not More than 1M Above the Finished Road and Car Park Lighting Shall be Extinguished Not More than 60 Minutes After the End of Such Match or Event'.

The Committee noted that the variations requested were consistent with the original permission granted and that there were no ongoing concerns reported.

In response to queries raised by the Committee, Officers confirmed that the distance from the lights in the car park to the nearest fence in Camrose Avenue was 35 metres. The Chairman also confirmed that a condition regarding landscaping was yet to be discharged but once completed, this would also provide a level of screening against the lights.

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

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

(APPLICATION 1/04) HARROW SCHOOL CRICKET GROUND SOUTH SIDE, WEST STREET, HARROW

Reference: P/1314/12 (The Keepers & Governors of Harrow School). Improvements to Cricket Ground Including Repositioning of Cricket Square and Regrading of Surfaces and Banking Involving Changes in Levels.

An Officer confirmed that the proposal would result in the cricket square being further away from the boundary and remove the need to high level netting.

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

(APPLICATION 1/05) 321 STATION ROAD, HARROW

Reference: P/1226/12 (Mr Narendra Popat). Extension of the Existing Building on the Site to Provide Four Storey Building Fronting Station Road, Extension of Basement and Part Redevelopment of the Site to Provide Part-Single Storey Building and Part Five-Storey Building Fronting Havelock Place Comprising 1,139.4SQM of Retail Space on the Ground Floor and Basement (Use Class A1) and 22 Residential Units (Use Class C3) on the Upper Floors; Provision of Landscaping, Refuse and Cycle Storage; External Alterations (Resident Permit Restricted)

An Officer reported that a site visit had taken place on the premises. The application proposed for extensions on the front and the back of the building. It was proposed that there would be 22 residential units within the development on the upper floors with rooftop amenity space. There were no affordable housing provision or car parking spaces. However officers still considered the application to be reasonable based on viability and the provision of public transport.

Contributions via a Section 106 agreement was being sought for public realm improvements and an updated financial viability appraisal would be required prior to the occupation of 80% of the residential units.

In response to queries raised by Members of the Committee, Officers confirmed that:

- there would be access to the development from the front and back of the building;
- there would be a level of servicing activity at the rear of the building.

Members expressed concern regarding an increase in traffic across Havelock Place and the impact on pedestrians particularly during the period any construction work was taking place. Officers confirmed that the recommendation involved imposing a condition regarding the hours on which construction could take place and the requirement of an agreed Construction Method Statement addressing its management.

DECISION:

- (1) **GRANTED** planning permission subject to conditions and the completion of a Section 106 agreement by 03 December 2012. Authority to be given 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 Section 106 agreement Heads of Terms would cover the following matters:
- i) The developer to submit to the Council's Housing Enabling Team for its approval an updated financial viability appraisal (i.e. the most up to date development costs and anticipated sales value of the residential units) prior to occupation of 80% of the residential units hereby permitted;
 - ii) If required, the developer to pay for the Council to have an independent review of the viability assumptions made in the financial appraisal submitted by the developer;
 - iii) In the event that the viability appraisal submitted by the developer (or the Council's independent review of the appraisal) shows a surplus residual land value, the developer to pay 50% of the surplus value to the Council as a contribution towards the provision of affordable housing in the borough.
 - iv) Public Realm improvements: Payment of £14,960 towards public realm and open space improvements prior to commencement of development;
 - v) Harrow Employment and Training Initiatives: Contribution of £10,000 towards local training and employment initiatives prior to commencement of development;

- vi) The submission of a Recruitment Training and Management Plan;
 - vii) Health Service contributions: Contribution of £15,429 towards local health provision prior to the occupation of the residential units on the site;
 - viii) Public Transport Contributions: Contributions of £14,470 towards public transport expenditure prior to the occupation of the residential units on the site;
 - ix) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and Planning Administration Fee: Payment of £1,500 administration fee for the monitoring of and compliance with this agreement.
- (2) That if the Section 106 Agreement is not completed by 03 December 2012 then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Planning on the grounds that the proposed development, in absence of a legal agreement to provide appropriate provision for infrastructural facilities that directly relate to the development, would fail to adequately mitigate the impact of the development on the appearance of the wider area and provide for necessary infrastructure improvements arising directly from the development, thereby being contrary to policies 3.2, 3.11, 3.12.A/B, 6.2, 7.4.B of The London Plan 2011, policies CS1.Z/AA and CS2.Q of the Harrow Core Strategy 2012 and saved policies EM15 and D4 of the Harrow Unitary Development Plan 2004.

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

(APPLICATION 1/06) WOOD FARM, WOOD LANE, STANMORE

Reference: P/1981/12 (Mr Gaurang Velani). Discharge of Section 106 Agreement to Planning Permission P/2203/06/CFU Dated 17.11.2009.

An officer highlighted additional information contained in the addendum. The officer reported that in relation to this site, the Secretary of State had granted permission for the development of 10 houses, the delivery of an extended country park, new facilities and the improvement of the area subject to the surrender of the agricultural lease.

The officer explained that a site visit had been conducted and demonstrated the development's potential. There had been significant discussion on the application between interested parties which had produced mitigation strategies to address concerns raised.

In response to a query raised by a Member of the Committee, officers responded that there were no issues relating to drainage at the site. The Council would be providing sewage for the 10 new houses on the site.

The Chairman commented that under the section 106 agreement, there were additional funds available to provide utilities such as water, electricity and an accessible toilet into the visitor centre building. The Chairman moved this revised recommendation which was seconded and agreed.

DECISION: APPROVED the details pursuant to paragraphs 5.1, 6.1.1, 6.1.2, 6.1.4, 6.1.5 and 7.1 of the Second Schedule of the planning obligation attached to planning permission P/2203/06/CFU dated 5th November 2009 and subject to the submission of a revised proposal for the visitor centre to include provision of power and water, together with the design and delivery of an accessible toilet into the building (if considered feasible by the Divisional Director of Planning within the £100,000 budget), to delegate the approval of the details submitted pursuant to paragraph 6.1.3 of the Second Schedule to the Divisional Director of Planning.

The Committee wished it to be recorded that the decision to approve the details of the application was unanimous.

(APPLICATION 1/07) WOOD FARM, WOOD LANE, STANMORE

Reference: P/1982/12 (Mr Gaurang Velani). Details Pursuant to Condition 12 (Mitigation Strategies) Attached to Planning Permission P/2203/06/CFU

An officer highlighted additional information contained in the addendum.

DECISION: APPROVED the details submitted and discharge planning condition 12 attached to planning permission P/2203/06/CFU.

The Committee wished it to be recorded that the decision to approve the details submitted and the discharge of the planning condition was unanimous.

(APPLICATION 2/01) 160 STATION ROAD

Reference: P/0463/12 (Mr S Mughadam). Change of Use from Shop (Class A1) to Mixed Use as a Restaurant and Hot Food Take Away (Classes A3 / A5) with Associated Storage / Cooking Area in Rear Outbuilding; External Alterations and Provision of Extract Flue to Rear Outbuilding (Part Retrospective Application)

The Committee noted that the application was being reported to it as the proposal constituted a marginal departure from the development plan. An officer reported that under the Localism Act 2011, Councils were obliged to take economic considerations into account for planning applications. Officers believed that this proposal would add viability to the relevant area.

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

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

(APPLICATION 2/02) UNITS 12 AND 13 AND KIOSK C, ST GEORGE'S SHOPPING CENTRE, ST ANN'S ROAD, HARROW

Reference: P/1996/12 (Redefine International PLC). Change of Use from Retail to Restaurant (Use Class A1 to Use Class A3); Ventilation Flue

An officer explained that the existing retail outlets based within the proposal would be relocated if the development was agreed. It was believed that this development would contribute to the vitality of the Town Centre.

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

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

(APPLICATION 2/03) UNITS 10 AND 11, ST GEORGE'S SHOPPING CENTRE, ST ANN'S ROAD, HARROW

Reference: P/1979/12 (Redefine International PLC). Change of Use from Retail to Restaurant (Use Class A1 to Use Class A3); Ventilation Flue.

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

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

(APPLICATION 2/04) 97 WOODBERRY AVENUE, HARROW

Reference: P/3445/11 (Mr M.A Qureshi). Single Storey Side Extension

The Committee noted that the application had been assessed in accordance with the design guidance had had been considered acceptable by officers. Officers confirmed that there were enforcement issues in relation to the property and it was occupied as a single dwelling house. Objections had been made in relation to the proposal and one further representation had been contained in the addendum. Officers had addressed the concerns within the report.

In response to a query raised by a Member, an officer confirmed that there was a strong 2 storey building line down Pinner View. A single storey side extension would not breach the building line. The officer also confirmed that there was a distance of 3 metres from the front edge of the new side extension and the site boundary with Pinner View.

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

(APPLICATION 2/05) BENTLEY PRIORY, THE COMMON, STANMORE

Reference: P/1727/12 (Mr Richard Winsborough). Listed Building Consent: Amend Existing Listed Building Consent for Building 7 (Reference P/1909/12) to add Roof to New Stair on East Elevation and Alter Proposed Internal Layout Including Relocating East Stair; Retaining East End Corridor Wall and Fitting out the Halls.

An officer explained that 3 applications had been submitted before the Committee for this site which related to external and internal decorations. Officers believed that the proposals enhanced the site and preserved the listed building. English Heritage had been consulted on the proposals and had provided no objections.

DECISION: GRANTED Listed Building Consent for the development described in the submitted plans and application, subject to conditions and informatives reported.

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

(APPLICATION 2/06) BENTLEY PRIORY, THE COMMON, STANMORE

Reference: P/1488/12 (Mr Richard Winsborough). Amend Listed Building Consent Application Reference P/1061/11 via Proposed External and Internal Alterations for Building 267 Including Relocating the Lift, Retaining the East Link Building, Reordering the Elevations, Proposed South Terrace and Installing Rooflights.

DECISION: GRANTED Listed Building Consent for the development described in the submitted plans and application, subject to conditions and informatives reported.

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

(APPLICATION 2/07) BENTLEY PRIORY, THE COMMON, STANMORE

Reference: P/1686/12 (Mr Burnard Winsborough). Listed Building Consent: amend Existing Listed Building Consents P/1453/08 and P/1059/11 for the Dining Room Block to Alter Exterior and Interior Including Re-ordering South Elevation; Amendments to West and North Elevations; Minor Amendments to Plans.

DECISION: GRANTED Listed Building Consent for the development described in the submitted plans and application, subject to conditions and informatives reported.

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

(APPLICATION 2/08) THE CROFT PLAYING FIELDS, CANNONBURY AVENUE, PINNER

Reference: P/0632/12 (Mr A Panjwani). Change of Use of Sports Pavilion to Children's Nursery with External Alterations (Class D2 to D1)

The Committee noted that the proposed development was to allow the change of use to a Children's nursery. This proposal was subject to hours of use condition and the maximum number of children allowed would be limited to 40.

The officer reported that within the objections received, issues had been made regarding drainage on the site. A drainage engineer had investigated the site and found that there were no issues nor would it exacerbate any issues. If agreed, the application would also need to be referred to the National Unit for Land Acquisition and Disposal, as Sport England had registered and objection to the application.

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

- if agreed, the conditions attached to the proposal would not allow for administrative work to take place on the site outside of the hours permitted;
- there was no vehicular access to the site so parents would drop their children on the adjacent roads;
- the applicants would need to submit a management strategy for storage and disposal before any development could commence. It was envisaged that this would involve taking bins to the closest road and retrieving them once emptied;
- security of the site was not a material planning consideration.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to referral to the National Unit for Land Acquisition and Disposal not objecting to the approval of this application and planning conditions (as the site is on land owned by the local authority). The decision to grant permission has been taken on the basis that the use of the sports pavilion building as a children's nursery for at least five years would bring an empty, unused community facility back into use and in so doing would create a valuable active presence within The Croft during weekdays which is likely to enhance perceptions of it as a safe, well-used place and which, in turn, may lead to increased usage by the local community. It would not encroach upon the protected open space and/or compromise the continued use of The Croft Playing Field for casual recreation activities including acting as an informal training facility for local underage association football teams. Subject to conditions, it would not result in any undue harm to the character and appearance of the area or neighbouring residential amenity and would not exacerbate parking congestion or cause harm to highway

safety or the free flow of traffic in the area but rather it would enhance community safety and perceptions of The Croft as a safe place. The application is therefore considered to be consistent with national planning policies the National Planning Policy Framework (2012), The London Plan (2011), Harrow Core Strategy (2012), Harrow Unitary Development Plan (2004), the Harrow Open Space, Sport and Recreation Study (2010) and the draft Harrow Outdoor Sports Strategy (2012), as well as to all relevant material considerations including any responses to consultation.

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

(APPLICATION 3/01) 16 DALSTON GARDENS, STANMORE

Reference: P/0115/12 (Triveni Sangam Charity). Change of Use of Part of Ground Floor from an Office to a Yoga Centre (Class B1 to Class D2)

The Chairman explained that he had asked this application to be presented to the Committee to demonstrate that, in his view, this type of development was not appropriate for an Industrial Business Park.

DECISION: REFUSED permission for the development described in the application and submitted plans for the following reason: The proposal would introduce an inappropriate use within the Honeypot Lane industrial business park resulting in the loss of Strategic Industrial Land, contrary to the strategic management of employment land in the Borough, and contrary to Policies 2.17 of the London Plan (2011), CS1 (O) of Harrow's Core Strategy (2012) and EM14 of the Harrow Unitary Development Plan (2004).

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

(APPLICATION 3/02) TREVOSSE, 116 ROWLANDS AVENUE, HATCH END

Reference: P/1162/12 (Mr Atul Patel). Two Storey Side Extension

DECISION: REFUSED planning permission for the development described in the submitted plans and application, for the following reason.

The proposed two storey side extension, by reason of its siting close to the common boundary with No. 114 Rowland Avenue, would give rise to a development which would not respect the spatial setting of the existing detached dwellinghouse, to the detriment of the character and appearance of the existing dwellinghouse and the locality, contrary to policy 7.4B of The London Plan (2011), core policy CS 1B of the Harrow Core Strategy (2012), saved policy D4 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

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

305. INFORMATION REPORT - Overview of Planning appeal decisions and enforcement statistics for the first quarter of 2012/13

The Committee received a report which provided an overview of planning appeal decisions and enforcement statistics for the first quarter of 2012/13.

RESOLVED: That the report be noted.

306. INFORMATION REPORT - Urgent Non-Executive Decision: Nower Hill High School, George V Avenue, Harrow, HA5 5RP

The Committee received a report which advised of an Urgent Non-Executive Decision taken relating to the determination of a planning application to provide an all-weather playing area for Nower Hill High School.

RESOLVED: That the report be noted.

307. INFORMATION REPORT - Urgent Non-Executive Decision: Sheridan House, 17 St Ann's Road, HA1 1LQ

The Committee received a report which advised of an Urgent Non-Executive Decision taken relating to the extension of the time period for completion of the section 106 Agreement for a change of use at Sheridan House, 17 St Ann's Road, HA1 1LQ.

RESOLVED: That the report be noted.

308. Member Site Visits

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

(Note: The meeting, having commenced at 6.35 pm, closed at 7.54 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman