

Planning Committee AGENDA

DATE: Wednesday 5 September 2012

TIME: 6.30 PM

VENUE: Council Chamber, Harrow
Civic Centre

A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 3 SEPTEMBER AT 6.30 PM IN COMMITTEE ROOM 5.

A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON THURSDAY 30 AUGUST 2012 STARTING AT 6.00 PM.

MEMBERSHIP (Quorum 3)

Chairman: Councillor Keith Ferry

Councillors:

Mrinal Choudhury (VC)
Bill Phillips
William Stoodley

Stephen Greek
Joyce Nickolay
Stephen Wright

Reserve Members:

1. Graham Henson
2. Ajay Maru
3. Sachin Shah
4. Jerry Miles

1. Simon Williams
2. Manji Kara
3. Amir Moshenson

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

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 disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee;
- (b) all other Members present.

4. MINUTES (Pages 3 - 12)

That the minutes of the meeting held on 11 July 2012 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 17 (Part 4B of the Constitution).

6. PETITIONS

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

7. DEPUTATIONS

To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (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 30 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

10. PLANNING APPLICATIONS RECEIVED

Report of the Divisional Director, Planning - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Divisional Director, Planning, 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 - OVERVIEW OF PLANNING APPEAL DECISIONS AND ENFORCEMENT STATISTICS FOR THE FIRST QUARTER OF 2012/13 (To Follow)

Report of the Divisional Director of Planning. Report to follow.

12. INFORMATION REPORT - URGENT NON-EXECUTIVE DECISION: NOWER HILL HIGH SCHOOL, GEORGE V AVENUE, HARROW, HA5 5RP (Pages 13 - 22)

Report of the Director of Legal and Governance Services.

13. INFORMATION REPORT - URGENT NON-EXECUTIVE DECISION: SHERIDAN HOUSE, 17 ST ANNS ROAD, HA1 1LQ (Pages 23 - 26)

Report of the Director of Legal and Governance Services.

14. MEMBER SITE VISITS

To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).

15. ANY OTHER URGENT BUSINESS

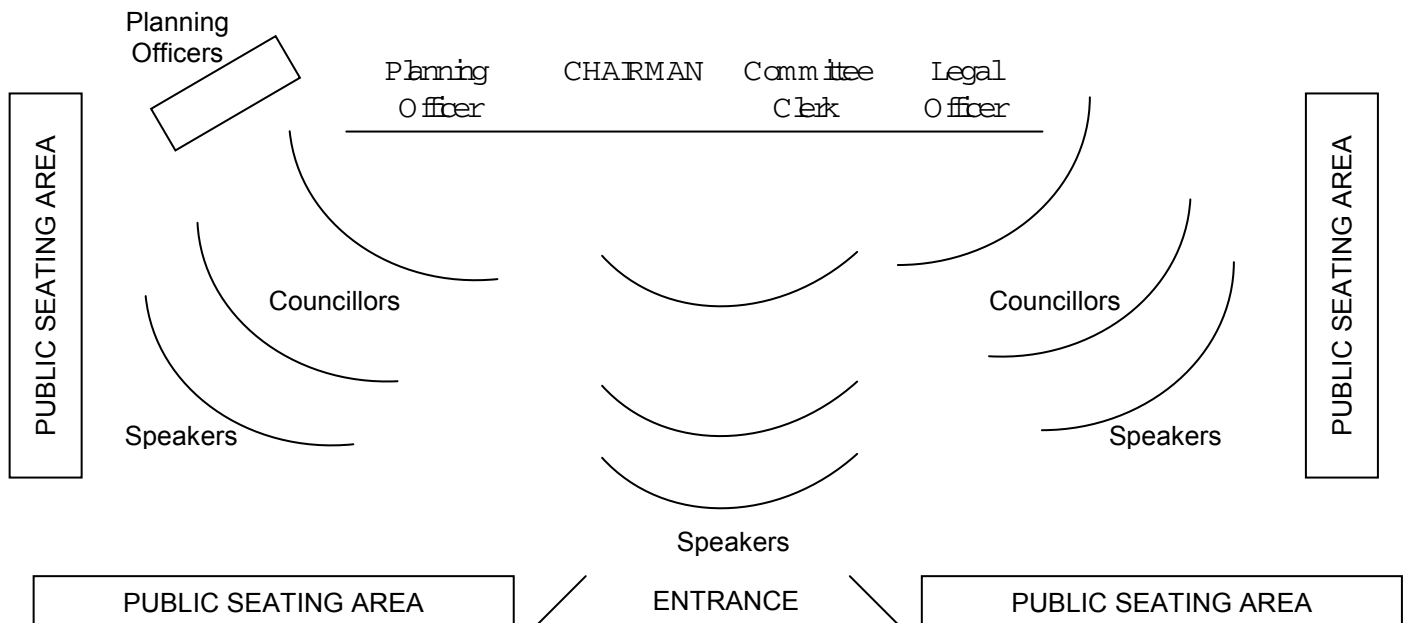
Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

Typical Room layout for Council Chamber



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 5.00 pm 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 Council Chamber 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.)

PLANNING COMMITTEE MINUTES

11 JULY 2012

Chairman: * Councillor Keith Ferry

Councillors: * Mrinal Choudhury * Joyce Nickolay
* Stephen Greek * Sachin Shah (3)
* Ajay Maru (2) * Stephen Wright

In attendance: Councillor David Perry Minute 295 (Application 1/01)
(Councillors) Councillor Bill Stephenson Minute 295 (Application 3/01)
Councillor Navin Shah Minute 295 (Application 3/01)
Councillor James Bond Minute 295 (Application 5/01)
Councillor Janet Mote Minute 295 (Application 5/01)

* Denotes Member present
(2) and (3) Denote category of Reserve Members

287. Attendance by Reserve Members

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

Ordinary Member

Councillor Bill Phillips
Councillor William Stoodley

Reserve Member

Councillor Ajay Maru
Councillor Sachin Shah

288. 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 item indicated:

Councillor	Planning Application
David Perry	1/01 (LAND REAR OF HEADSTONE DRIVE, WEALDSTONE)
Bill Stephenson Navin Shah	3/01 (16 ALLINGTON ROAD, HARROW)
James Bond Janet Mote	5/01 (LAND OUTSIDE NORTH HARROW METHODIST CHURCH, PINNER ROAD, HARROW)

289. Declarations of Interest

RESOLVED: To note that no interests were declared.

290. Minutes

RESOLVED: That the minutes of the meeting held on 13 June and special meeting held on 26 June 2012 be taken as read and signed as correct records.

291. Public Questions and Deputations

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

292. Petition

Councillor Perry, on behalf of residents, submitted a petition of 33 signatures, in addition to previous petitions submitted, objecting with regard to Application 1/01 (Land rear of Headstone Drive), citing access and poor drainage.

RESOLVED: That the petition be received and considered as part of Application 1/01 (Land rear of Headstone Drive).

293. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

RESOLVED ITEMS

294. Representations on Planning Applications

RESOLVED: To note that no representations had been received.

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

(APPLICATION 1/01) LAND REAR OF HEADSTONE DRIVE, WEALDSTONE

Reference: P/1265/12 (Headstone Developments Ltd). Construction of 7 X 2 Storey Buildings for Storage and office Use (Class B8 / Class B1); Photovoltaic Panels on Roof; New Vehicle Access from Walton Road; Provision of 12 Parking Spaces, landscaping, refuse and cycle storage (Revised Application)

Officers introduced the report advising that a site visit had been held and referring the Committee to additional information contained within the Addendum. It was noted that the application was in respect of a revised scheme of seven units and 12 car parking spaces.

In addition to the petition submitted and additional letter of objection Councillor David Perry (Ward Councillor) spoke on the application expressing residents concerns that the proposals would result in increased traffic flow and noise, a loss of privacy and lead to security concerns for nearby properties. He noted the location of a children's nursery and scout hut within the immediate vicinity and questioned whether the proposed office space would meet identified needs, as other similar buildings remained unoccupied. He emphasised the issues with regard to poor lighting and accessibility through the narrow alleyway and spoke of residents concerns about flooding.

Members discussed the application noting the following:

- The Grampian condition with regard to improvement of the access road, prior to construction commencing, was essential.
- Conditions 6 and 13 should also include an assurance to improve lighting levels for the access road as part of health and safety requirements.
- The highest anticipated use of the site would be 70 persons upon completion of the scheme.
- The number of vehicle movements had been assessed as acceptable by the Transport Department.
- The site would fall within the classification of Flood Zone 2 and the applicant would be required to demonstrate how they intended to deal with surface water as part of the application proposals.

- Annual monitoring of employment needs demonstrated a demand for small business and office units as proposed by the application.

A Member of the Committee moved Condition 13 be reworded to say:

- (13) No development shall take place until a construction method statement and plan for the formation and layout of the access road, ***including a low level lighting scheme***, leading from Walton Road to the application site has been submitted in writing for approval to the local planning authority. The formation and layout of the access road shall be completed in accordance with the approval details and thereafter retained in that form.

The motion for Condition 13 to be reworded was seconded, put to the vote and won.

DECISION:

- (1) **GRANTED** planning permission, ***as amended by the addendum***, subject to the conditions identified ***and the reworded Condition 13 above*** and the completion of a Section 106 Agreement by 10 October 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) Public realm improvements: Payment of £5,000 towards public realm improvements;
 - ii) Harrow Employment and Training Initiatives: Contribution of £10,000 towards local training and employment initiatives prior to commencement of development;
 - iii) The submission of a Recruitment Training and Management Plan;
 - iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;
 - v) Planning Administration Fee: Payment of £1,000 administration fee for the monitoring of and compliance with this agreement.
- (2) That if the Section 106 Agreement is not completed by 10 October 2012 the Divisional Director of Planning be delegated authority to **REFUSE** planning permission 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 policy 7.4.B of The London Plan 2011 and saved policies EM22 and D4 of the Harrow Unitary Development Plan 2004”.

The Committee wished it to be recorded that the decision to grant prior approval was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Stephen Greek, Ajay Maru, Joyce Nickolay and Stephen Wright voted to approve.

Councillor Sachin Shah abstained.

(APPLICATION 1/02) ST BERNADETTES PRIMARY SCHOOL, 49 CLIFTON ROAD, HARROW

Reference: P/0817/12 (The Governing Body, St Bernadette’s Catholic Primary School). Demolition of existing School Buildings and Redevelopment to provide new single and two-storey building; associated Landscape works to include Junior Hard Play Area (enclosed), Soft Play Areas and replacement car parking and cycle storage; proposed new vehicular Access Gate from Clifton Road; new Boundary Fencing; Heat Pumps.

The Committee noted that the proposal was for a new building which would result in an overall reduction of the current footprint of the site.

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 2/01) LAND ADJACENT TO 47 MASONS AVENUE, WEALDSTONE

Reference: P/1021/12 (Mr Dhafer Al-Amil). Use of Vacant Land for the parking of vehicles in connection with the provision of MOT Testing Services within the Existing Vehicle Repair Garage at 14-16 Masons Avenue, Wealdstone, HA3 5AP.

Members agreed that an additional condition with regard to traffic signage be drawn up by the Divisional Director of Planning, following consultation with the Highways Authority.

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 2/02) 11 CRYSTAL WAY, HARROW

Reference: P/3355/11 (Medik Ostomy Ltd). Provision of new Three Storey Office Building adjacent to 11 Crystal Way to provide Ancillary Office Accommodation for 11 Crystal Way; provision of parking and landscaping fronting Elmgrove Road; provision of additional parking at rear of Unit 11.

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) 108 MARSH ROAD, PINNER

Reference: P/1022/12 (Mr Kobie Brown). Change of use from Shop to Beauty Parlour (Class A1 to Class SUI GENERIS) (Retrospective Application).

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 3/01) 16 ALLINGTON ROAD, HARROW

Reference: P/0531/12 (Mr Pradeep Shah). Rear Dormer with Juliette Balcony (Retrospective Application)

Officers introduced the report noting that a site visit had been held. In speaking to the report, officers advised that the application was seeking a retrospective permission that did not comply with the approved lawful Development Certificate, or the advice within the Supplementary Planning Document: Residential Development.

Councillors Bill Stephenson (Ward Councillor) and Navin Shah (London Assembly Member) spoke in support of the retrospective application stating that the differential in height was approximately 6 inches and this, together with the consideration that the family's unique personal circumstances should be considered as to whether this outweighed the non-compliance.

Members discussed the application noting the following:

- The variation in height was a differential from the original plans submitted and the development had not been built to agreed specification.

- Officers had been in discussion with the applicant since 2009 to try and achieve an amicable solution to the non-compliance but this had not been possible to agree.
- The Committee needed to consider whether the families' special personal circumstances outweighed the prejudice to the surrounding properties as a result of the development and this was a material consideration.
- Consideration needed to be given to whether a precedent was established for similar conversions if agreement was given.

The Committee considered a Motion to refuse on the grounds that:

- (1) The rear dormer, by reason of its siting and excessive bulk and massing, has created an unattractive, incongruous and over-dominant expanse of end gable wall which is particularly visually prominent in the street scene to the detriment of the character and appearance of the dwellinghouse and the surrounding area, contrary to policies 7.4B and 7.6B of The London Plan (2011), core policy CS1.B 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 motion for refusal was seconded, put to the vote and lost.

DECISION: Minded to GRANT planning permission for the development described and in accordance with the Procedure Rules the application be re-submitted to the next Planning Committee for decision and not determined by the Divisional Director of Planning.

The Committee wished it to be recorded that the decision Minded to Grant was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Ajay Maru and Sachin Shah voted to approve.

Councillors Stephen Greek, Joyce Nickolay and Stephen Wright voted against.

(APPLICATION 3/02) WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW

Reference: P/0063/12 (Ms S Hammond). Installation of 8 X 10m high Lighting Columns to provide Floodlighting to Tennis Courts and 6 X 14m high Lighting Column to provide Floodlighting to Multi-Use Games Area.

The Committee noted the height of the proposed floodlighting columns indicating that it felt these were out of keeping the area.

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

- (1) The proposed floodlighting columns, by reason of their height, bulk and siting in close proximity to residential properties would be unduly obtrusive and would result in unacceptable harm to the visual amenities of the properties along Whitmore Road and Shaftesbury Avenue in close proximity to the proposed floodlighting columns and to the character of the area, contrary to National Planning Policy Framework (2012), London Plan (2011) policies 7.4B and 7.6B, Harrow Core Strategy CS1.B and the Unitary Development Plan (2004) policy D4.
- (2) The proposed flood lighting columns, when in use would result in unacceptable light overspill onto the neighbouring residential gardens to the detriment of the residential amenities of the properties along Whitmore Road and Shaftesbury Avenue in close proximity to the proposed floodlighting columns contrary to London Plan (2011) policy 7.6B and the Unitary Development Plan (2004) Policy D5.

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

(APPLICATION 5/01) LAND OUTSIDE NORTH HARROW METHODIST CHURCH, PINNER ROAD, HARROW

Reference: P/1639/12 (Vodafone (UK) Ltd). Prior approval for siting and appearance: 15m high Telecommunications Mast with Three Antennas and Associated Equipment Cabinet.

Officers introduced the report and referred the Committee to the additional information contained on the circulated Addendum. It was advised that the application required determination by the 3 August 2012 and the next meeting of the Committee would not be prior to this date. Officers outlined the changes occurring as part of the National Planning Policy Framework which removed the ability of local authorities to object to such applications on health grounds if the applicant could demonstrate compliance with International Commission on Non-Ionising Radiation Protection (ICNIRP) grounds, which had been submitted with regard to the application.

Officers stated that the proposed site before the Committee was part of a transition to a more commercial aspect of Harrow and therefore street furniture was not an uncommon aspect of such an area. Officers did not consider the proposal would result in street clutter. The complexity of identifying locations for such installations was also briefly explained.

Councillors Janet Mote and James Bond (Ward Councillors) spoke on the application seeking clarification on the positioning of the equipment cabinet and mast, particularly in view of the nearby place of worship.

Members discussed the tight search area required for such installations and the character of the surrounding area.

A Member of the Committee proposed refusal on the grounds that:

- (1) the proposed telecommunications mast, by reason of its excessive height and prominent location, would be visually intrusive in the streetscene, to the detriment of the visual amenities of the area, contrary to saved policies D4 and D24 of the Harrow Unitary Development Plan(2004).

The motion for refusal was seconded, put to the vote and lost.

In considering the application the Committee requested that arrangements be made to offer councillors the opportunity to accompany the site visit when telecommunications mast contractors were investigating potential locations for other such masts within the borough.

DECISION: Delegated Authority be given to the Divisional Director of Planning to determine prior approval following the end of the consultation period on 26 July 2012.

The Committee wished it to be recorded that the decision to grant prior approval was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Ajay Maru and Sachin Shah voted to approve.

Councillors Stephen Greek, Joyce Nickolay and Stephen Wright voted against.

296. Member Site Visits

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

(The meeting, having commenced at 6.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman

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REPORT FOR: Planning Committee.

Date of Meeting: 5 September 2012

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

Responsible Officer: Hugh Peart – Director of Legal and
Governance Services

Exempt: No

Enclosures: Appendix 1 – Planning application
report

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

The circumstances related to a planning application to provide an all-weather playing area for Nower Hill High School. The relevant policy context and assessment of the development against adopted policy context is set out within the appended report. The applicant indicated that a decision was required urgently on the application to ensure that works to the proposed playing field begun in the summer school holidays and therefore reduced the period of time when the playing field facilities would be unavailable.

Section 3 – Further Information

ACTION SOUGHT

- 1.1 Grant planning permission for the replacement of natural turf playing field with tiger turf grass playing field and related external alterations at Nower Hill High School, George V Avenue, Harrow, HA5 5RP in accordance with the submitted application reference P/1615/12.
- 1.2 It was considered that the proposal would provide a high quality sports area that would be suitable for use throughout the year and would provide significant health and education improvements to the pupils at Nower Hill High School and would have no significant impacts on the character and appearance of the area or on the residential amenities of neighbouring occupiers.
- 1.3 The decision to grant planning permission was taken having regard to national planning policy, the policies and proposals in the London Plan (2011) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and all relevant material considerations and as set out in appended report.

Date of Request for Action: 6 August 2012

Reason for urgency:

A decision was required to be made to enable the works to be completed before the commencement of the new academic year in September 2012. A delay in determining the application until the Planning Committee at Harrow Council on 5th September 2012 would have delayed the implementation of the works by twelve months and fail to deliver the benefits sought as outlined in the appended report.

Decision: Officer recommendation agreed.

Section 4 – Financial Implications

None

Section 5 – Corporate Priorities

The proposal would be in line with the corporate objective of United and involved communities: A Council that listens and leads.

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 16 August 2012		

Section 6 - 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.

APPENDIX 1:

Address: Nower Hill High School George V Avenue Pinner HA5 5RP

Reference: P/1615/12

Description: Replacement Of Natural Turf Playing Field With Tiger Turf Grass Playing Field And Related External Alterations

Ward: Headstone North

Applicant: Mrs Jackie Giorgio

Agent: Agripower Ltd

Case Officer: GERARD LIVETT

Expiry Date: 23 August 2012

RECOMMENDATION

GRANT planning permission subject to conditions

REASON

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of the Harrow Unitary Development Plan 2004, as well as to all relevant material considerations including any responses to consultation.

The proposal would provide a high quality sports area that would be suitable for use throughout the year and would provide significant health and education improvements to the pupils at Nower Hill High School and would have no significant impacts on the character and appearance of the area or on the residential amenities of neighbouring occupiers.

INFORMATION

As the development proposal involves the development of 0.7ha of land, it falls outside the scope of category 1(d) of the Scheme of Delegation and cannot therefore be determined under authority delegated to the Divisional Director of Planning. The construction of the proposed playing field will take a significant period of time to construct and in order to minimise the time for students when this facility would not be available, the applicants have requested that the application be determined under a non-execution action in order to begin construction in the summer holidays of the school year. In light of the identified policy benefits from the proposed development, and the negatives impacts arising from the unavailability of a playing field, it is considered that a decision under a Non-Executive Action is appropriate in this instance.

Statutory Return Type: Minor Development, all other

Council Interest: None

Site Area: 0.7ha

Net additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site comprises the playing field of Nower Hill High School.
- The playing field is to the north of the main school buildings. It is bounded on the south by a sports hall, a two-storey temporary classroom block and a single-storey temporary building set on a hard surfaced playground. To the east, the field is bounded by three temporary classrooms (which are near George V Avenue). To the north of the field is a fenced area containing six tennis courts, and to the west is Pinner Cemetery.
- The main school buildings are clustered at the south of the site between the main entrance on George V Avenue and the service entrance on Pinner Road.

Proposal Details

- The application proposes the replacement of the existing natural turf surface to the playing field with Tiger Turf.
- The synthetic area would be graded with a maximum 1% fall
- The proposal includes the repositioning of the existing long jump area
- Tiger Turf is a proprietary artificial turf designed to replicate the playing characteristics of natural turf while providing year-round resilience.

Relevant History

The school has an extensive planning history relating to permanent and temporary buildings on the wider site.

This planning history is omitted as it is not directly relevant to this application.

Pre-Application Discussion (Ref.)

- None relating to this application

Applicant Submission Documents

- None

Consultations

Sport England: Sport England is satisfied that the proposed artificial grass pitch accords with Sport England's playing field policy in that:

The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

This being the case, Sport England does not wish to raise an objection to this application.

Drainage Engineers: Proposed land drains should not to be connected to existing surface water system / attenuation tank. Proposed soakaway should be designed in line with BRE publication Digest 365. All layers below the synthetic grass should be permeable.

Advertisement

None

Notifications

Sent: 77

Replies: 1

Expiry: 20-07-2012

Addresses Consulted

Pinner Road: 583-627 (odd) 470-472 (even)

Fire Brigade Cottages: 1-18

George V Avenue: 2-22 (even)

Headstone Lane: 2-14 (even)

South Way: 30

Station Road: 36a

Summary of Responses

- Fitness of children and obesity becoming a concern and more playing facilities are required; outdoor space particularly limited for students of Nower Hill outside of the summer period
- Proposal will provide play space for more than just the summer term

APPRAISAL

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

The Harrow Core Strategy has been adopted following a meeting of the Full Council on 16th February 2012 and is now part of the Development Plan for the Borough.

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Development and Flood Risk
- 5) S17 Crime & Disorder Act
- 6) Consultation Responses

1) Principle of the Development

The principle of the development is considered acceptable as it would provide a high quality playing field that would be capable of year-round use, rather than being restricted to the current summer use.

This would enhance the education and recreation facilities provided at Nower Hill High School and is in accordance with policy 3.18C of The London Plan and saved policy C7 of the Harrow Unitary Development Plan regarding education facilities.

The proposal would also ensure the retention of this area as open space, in accordance with policy 7.18B of The London Plan, policy CS1.F of the Harrow Core Strategy and saved policy EP47 of the UDP.

The proposal would enable the field to be used all year round, which is supported by

general national, regional and local planning and other policies which seek to promote sport, health and recreation.

It is noted that one response in support of the application has been received to the consultation exercise. The broad thrust of this response reiterates the support of the development proposal outlined within development plan policies.

2) Character and Appearance of the Area

The proposal is considered to have no significant impact on the character and appearance of the area. As noted above, the proposal would ensure that the area is retained as open space. It is noted that some re-grading of the area is required to ensure a maximum slope of 1%. The difference between the highest and lowest parts of the site is currently 1.64m, which represents a 1.8% slope. Any changes in levels are considered to be minimal and would have no significant impact.

The proposal would replace the existing natural turf with an artificial turf. The specific colour of the artificial surface has not been stated on the application form or submitted drawings. In order to maintain a satisfactory appearance of the playing field and ensure that the colour of the playing field does not appear stark or out of context, a condition requiring a natural grass colour to be used is recommended.

3) Residential Amenity

The proposal would allow for the playing field to be used all year round and may also facilitate the use of the playing field into after school hours. This will result in some associated noise at times when such noise is not currently experienced. However, the nearest residential properties (at Fire Brigade Cottages) are more than 70m away. The site is shielded from residential properties on one side by buildings and on another by George V Avenue. It is considered that any increase in noise and disturbance would have no significant impact on the residential amenities of nearby occupiers.

Any further intensification of the playing field beyond the proposed levels would be likely to require further mechanical plant such as floodlights to facilitate this use. Floodlights would require planning permission and an assessment of the impact of any further intensification of the use beyond the proposed development could be considered within the remit of a further planning application.

4) Development and Flood Risk

The introduction of an artificial surface, albeit one which is permeable, presents an opportunity to enhance the drainage of the site. The prolonged period of rainfall in June and July has resulted in the existing pitch being out of commission as it was waterlogged.

However, suitable drainage should be provided, which should not discharge either into the mains surface water drains or the existing attenuation tanks on site which mitigate surface water run-off from buildings elsewhere on the site.

In order to ensure that surface water run-off is minimised, suitable conditions regarding surface water storage and attenuation and the permeability of the substrate to the artificial pitch are recommended, in accordance with policy 5.13 of The London Plan and saved policy EP12 of the UDP.

5) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

6) Consultation Responses

N/A

CONCLUSION

The proposal would provide a high quality sports area that would be suitable for use throughout the year and would provide significant health and education improvements to the pupils at Nower Hill High School and would have no significant impacts on the character and appearance of the area or on the residential amenities of neighbouring occupiers.

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including responses to consultation, as set out above: This application is recommended for grant.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

NH/05/12/001; NH/05/12/002; NH/05/12/003; NH/05/12/004

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The artificial turf hereby permitted shall be of a similar colour to natural grass.

REASON: To ensure a satisfactory form of development that is compatible with the open nature of the site, as required by policies 7.4 and 7.18 of The London Plan (2011) and saved policies D4 and EP47 of the Harrow Unitary Development Plan (2004).

4 The development hereby permitted shall not be used until details for the storage, attenuation and disposal of surface water have been submitted to, and approved in writing by, the Local Planning Authority.

The details should include details of the permeability of the artificial turf and its substrate.

The development shall be completed in accordance with the approved details and thereafter retained.

REASON: To ensure that adequate drainage facilities are provided and to prevent surface water run-off, as required by policy 5.13 of The London Plan (2011) and saved policy EP12 of the Harrow Unitary Development Plan (2004)

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The proposal would provide a high quality sports area that would be suitable for use throughout the year and would provide significant health and education improvements to the pupils at Nower Hill High School and would have no significant impacts on the

character and appearance of the area or on the residential amenities of neighbouring occupiers.

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education facilities

3.19 – Sport facilities

5.13 – Sustainable Drainage

7.3 – Designing out crime

7.4 – Local Character

7.18 – Protecting local open space and addressing local deficiency

Harrow Core Strategy (2012)

CS1.A/B/FG – Overarching Policy

Harrow Unitary Development Plan (2004)

D4 – The standard of design and layout

EP12 – The Control of surface water run-off

EP47 – Open Space

R4 – Outdoor sports facilities

R5 – Intensive use pitches

C7 – New education facilities

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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.

Plan Nos: NH/05/12/001; NH/05/12/002; NH/05/12/003; NH/05/12/004

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REPORT FOR: Planning Committee.

Date of Meeting: 5 September 2012

Subject: **INFORMATION REPORT –
Urgent Non-Executive Decision:
Sheridan House, 17 St Anns
Road, HA1 1LQ**

Responsible Officer: Hugh Peart – Director of Legal and
Governance Services

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

- 2.1 The circumstances related to a planning application for the ‘Change Of Use Of 2nd, 3rd and 4th Floor Offices (Use Class B1) to 18 Flats (Use Class C3); External Alterations (In Addition to the Extant Permission to Change the Use of the 5th Floor Offices to 6 Flats Ref: P/1404/11 Granted 11th August 2011) (Resident Permit Restricted)’ at Sheridan House, 17 St Anns Road, HA1 1LQ.
- 2.2 The application was considered and approved at the 16 May Planning Committee. The resolution of the committee was to grant planning permission subject to conditions and the completion of the Section 106 Agreement by 16 August 2012. The committee also resolved that if the Section 106 Agreement was not completed by the 16 August 2012, that planning permission should be refused on the ground that in the absence of a legal agreement to secure the long term viability of the remaining office space, the application would fail to adequately mitigate the impact of the development.
- 2.3 If it were the case that no effort had been made by the Owner to finalise the Section 106 Agreement within the defined timescale, a different approach may have been adopted. However, discussions had been continuing between the Owner and the Council since the committee resolution, to finalise the Section 106 Agreement, but due to issues around the interpretation of the approved Heads of Terms, and the fact that the original Case Officer had left on maternity leave (which caused delay by the Council), it had reached the point where it is clear that, the Section 106 would not be completed within the timeframe set by the Planning Committee.
- 2.4 As there was a legitimate argument that the Heads of Terms should have been clearer, it was considered unreasonable to enforce recommendation B of the committee report, which was to refuse planning permission (at that time). The implications of recommendation B were that the planning application, despite Members finding it acceptable, would need to be refused and therefore a new application would need to be submitted or the Council would have to defend an appeal against the refusal. This would have led to a significant delay in the delivery of the development and additional costs (both financial and time) to both the developer and the Council.

Section 3 – Further Information

ACTION SOUGHT

Extension of the time period for completion of the Section 106 Agreement relating to Sheridan House, 17 St Anns Road, HA1 1LQ from 16th August 2012 to 8th November 2012

Date of Request for Action:

13 August 2012

Reason for urgency:

A decision was required to be made to enable the deadline to sign the Section 106 Agreement to be extended prior to it expiring on the 16 August 2012. The next available Planning Committee was the 5 September 2012, so there was no opportunity to take the application back before the Committee to amend the wording of recommendation B.

Decision: Officer recommendation agreed.

Section 4 – Financial Implications

None

Section 5 – Corporate Priorities

The proposal would be in line with the corporate objective of United and involved communities: A Council that listens and leads.

Name: Kanta Hirani



on behalf of the
Chief Financial Officer

Date: 17 August 2012

Section 6 - 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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