

# PLANNING COMMITTEE

## MINUTES

### 28 NOVEMBER 2012

**Chairman:** \* Councillor Keith Ferry

**Councillors:** \* Mrinal Choudhury \* Joyce Nickolay  
\* Stephen Greek \* Bill Phillips  
\* Graham Henson \* Stephen Wright

\* Denotes Member present

#### 328. Attendance by Reserve Members

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

Ordinary Member

Councillor William Stoodley

Reserve Member

Councillor Graham Henson

#### 329. 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

Marilyn Ashton

Planning Application

3/01 6 Aylwards Rise, Stanmore

### **330. Declarations of Interest**

**RESOLVED:** To note that the following interests were declared:

Agenda Item 10 – Planning Application 2/01 - Bentley Priory, The Common, Stanmore

Councillor Marilyn Ashton declared a disclosable pecuniary interest in that her property was in the vicinity of the application site. She would leave the meeting whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Application 3/01 - 6 Aylwards Rise, Stanmore

Councillor Marilyn Ashton declared a disclosable non-pecuniary interest in that she had been involved in the area as a Ward Councillor. She would remain in the room whilst the matter was considered and voted upon.

### **331. Minutes**

**RESOLVED:** That the minutes of the meeting held on 25 October 2012 be taken as read and signed as a correct record.

### **332. Public Questions, Petitions and Deputations**

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

### **333. References from Council and other Committees/Panels**

**RESOLVED:** To note that there were none.

### **334. Representations on Planning Applications**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of item 2/02 on the list of planning applications.

## **RESOLVED ITEMS**

### **335. 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) 395 KENTON LANE, HARROW**

Reference: P/2652/12 (Lambert Limited). Redevelopment to Provide 8 Flats and 370 sqm of Retail Floor Space (A1) in a Four Storey Building with Alterations to an Existing Cross Over and the Formation of a New Cross Over; Demolition of Existing Building. (MOT Service Centre).

The Chairman reported that a site visit had been made.

In response to questions it was noted that:

- the recessed balconies faced the road, were set back and had adequate lighting;
- the parking element was anticipated to be controlled by an internal management scheme.

Members were of the opinion that in order to prevent potential disturbance to residents due to the opening and closure of shutters in accessing the premises, the times of opening listed in the condition should refer to total opening hours and not opening to customers. The wording 'to customers' was therefore deleted from the condition.

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

1. An amendment to Condition 10 to read:

The retail use hereby permitted on the ground floor of the development shall be open within the following hours;

0700 and 2300 on Monday to Sunday and Bank Holidays:

REASON: To safeguard the neighbouring and future occupiers of the residential units on the site from undue levels of noise and disturbance, thereby according with policy 7.15.B of The London Plan 2011 and saved policies EP25 and D5 of the Harrow Unitary Development Plan 2004.

2. A new Condition 21 to read:

The retail use hereby permitted on the ground floor of the development shall only receive deliveries within the following hours;

0700 and 1900 on Monday to Sunday and Bank Holidays.

REASON: To safeguard the neighbouring and future occupiers of the residential units on the site from undue levels of noise and disturbance, thereby according with policy 7.15.B of The London Plan 2011 and saved policies EP25, and D5 of the Harrow Unitary Development Plan 2004.

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

**(APPLICATION 2/01) BENTLEY PRIORY, THE COMMON, STANMORE**

Reference: P/2322/12 (Mr Neil Cottrell (Banner Homes)). Amendments to Phase 5 of Approved Development (Refs P/1452/08 and P/1726/11) to Alter the Layout, Siting, Footprint and Design of the 7 Detached Dwellinghouses and Garages; Associated Landscaping, Access and Parking.

The attention of the Committee was drawn to the revised footprints detailed in the addendum.

In response to a question, it was reported that Code for Sustainable Homes Level 3 compliance, rather than Level 4, was now proposed as the extant permission for the redevelopment of the site, to which this application proposed only minor amendments, required Level 3 compliance.

**DECISION: GRANTED** permission for the development described in 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.*

**(APPLICATION 2/02) 25 CEDAR DRIVE, PINNER**

Reference: P/2319/12 (Mr J Chauhan). Conversion of Dwelling into Two Self-Contained Flats with Associated Landscaping, Cycle and Refuse Storage; Single Storey Infill Rear Extension; Conversion of Garage into Habitable Room.

In response to questions it was noted that:

- In accordance with the Residential Design Guide Supplementary Planning Document (SPD), it was Council practice to permit schemes consisting of two bedroom units although one room did not stack properly. In practise the requirement for perfect stacking in new developments was not always applied to existing properties. Any requirements for noise insulation could be controlled through Building Control;
- one car parking space was considered adequate provided it did not obstruct pedestrian access to the property. When the property is sold or leased out, one unit would have the parking provision;
- the approval of the application would not result in a precedent as each application would be considered on its merit;

- it would be difficult to apply policy T13 as proof would be required that more parking was required by two two bedroom flats than a four bedroom house.

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

1. The internal layout of the house and division of the back garden is out of character and does not respond to the local character and history of the area, contrary to paragraph 58 of the National Planning Policy Framework (2012).
2. The poor stacking of the first-floor flat would affect the amenity of the householders contrary to saved policies D4 and D5 in Harrow's Unitary Development Plan (2004); and
3. Only one car parking space is provided on the site contrary to the requirements of Policy 6A.2 in The London Plan which recommends the provision of one space per unit and saved policy T.13 of Harrow's Unitary Development Plan (2004).

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

The Committee received representations from one objector, Shelina Janmohamed, and the applicant, Jiten Chauhan.

**DECISION: GRANTED** permission for the development described in 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 as follows:*

*Councillors Keith Ferry, Mrinal Choudhury, Graham Henson and Bill Phillips voted to approve.*

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

### **(APPLICATION 3/01) 6 AYLWARDS RISE, STANMORE**

Reference: P/1767/12 (Mr & Mrs A. Sharma). Single and Two Storey Side and Rear Extensions; Three Rear and Two Side Dormers; External Alterations.

It was reported that a site visit had been made.

The Committee was informed that, during the pre-application discussion, the officers had indicated a design, size and bulk that would be suitable but this advice had not been taken.

A Member of the Committee proposed an additional reason for refusal that:

The proposed side and first floor rear extensions, by reason of height, bulk and side and rearward projections would be unduly obtrusive, overbearing and oppressive and would result in an unreasonable loss of outlook being experienced by No. 5 Aylwards Rise should the trees be removed as they are not protected contrary to Policy 7.6B of The London Plan (2011), saved policy D5 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document Residential Design Guide (2010).

The motion regarding an additional reason for refusal was seconded, put to the vote and lost.

**DECISION: REFUSED** planning permission for the development described in the submitted plans and application for the reasons set out in the report.

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

### **336. Member Site Visits**

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

(Note: The meeting, having commenced at 6.30 pm, closed at 8.07 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chairman