

# Planning Committee AGENDA

**DATE:** Wednesday 28 November 2012

**TIME:** 6.30 PM

**VENUE:** Council Chamber, Harrow  
Civic Centre

**A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 26 NOVEMBER 2012 AT 6.30 PM IN COMMITTEE ROOM 6.**

**A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON SATURDAY 24 NOVEMBER 2012 STARTING AT 10.00 AM.**

## **MEMBERSHIP** (Quorum 3)

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**Chairman:** Councillor Keith Ferry

### **Councillors:**

Mrinal Choudhury (VC)	Stephen Greek
Bill Phillips	Joyce Nickolay
William Stoodley	Stephen Wright

### **Reserve Members:**

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- |                  |                   |
|------------------|-------------------|
| 1. Graham Henson | 1. Simon Williams |
| 2. Ajay Maru     | 2. Manji Kara     |
| 3. Sachin Shah   | 3. Amir Moshenson |
| 4. Jerry Miles   |                   |

**Contact:** Miriam Wearing, Senior Democratic Services Officer  
Tel: 020 8424 1542 E-mail: [miriam.wearing@harrow.gov.uk](mailto: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 - 10)

That the minutes of the meeting held on 25 October 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. MEMBER SITE VISITS**

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

**12. ANY OTHER URGENT BUSINESS**

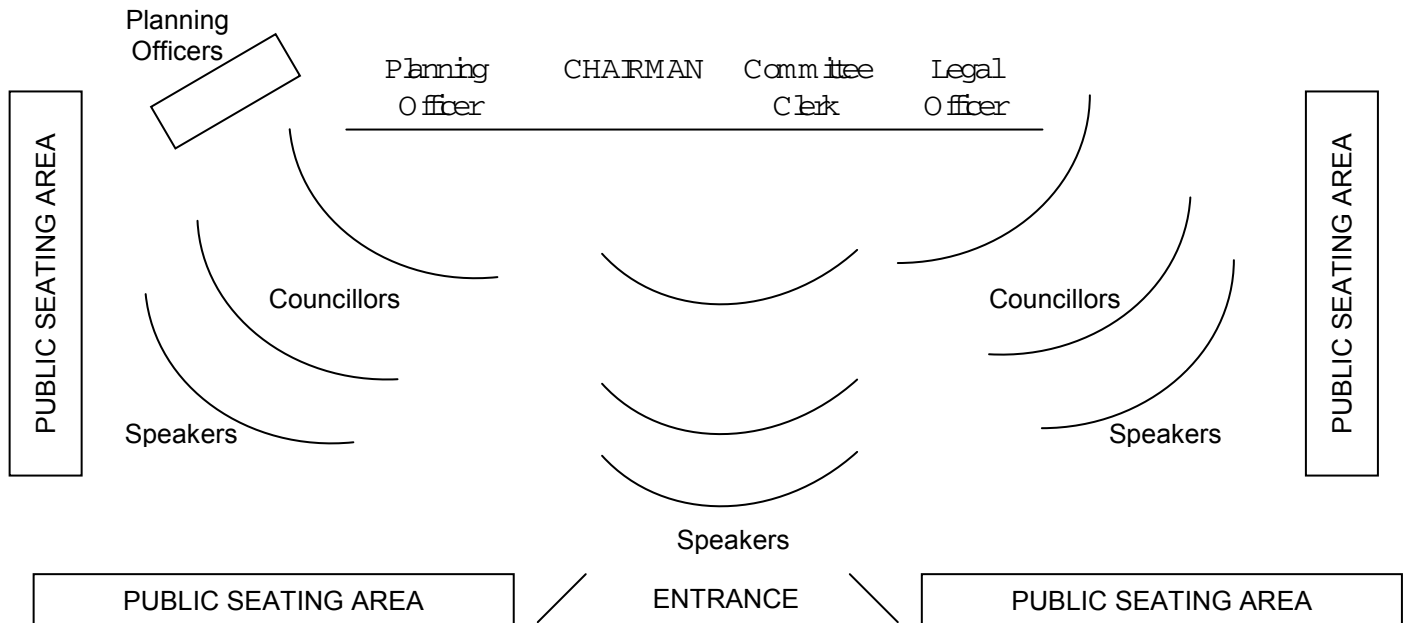
Which cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

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## **GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE**

### **Typical Council Chamber 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

### 25 OCTOBER 2012

**Chairman:** \* Councillor Keith Ferry

**Councillors:**

* Mrinal Choudhury	* Joyce Nickolay
* Stephen Greek	* William Stoodley
* Jerry Miles (4)	* Stephen Wright

\* Denotes Member present  
(4) Denotes category of Reserve Member

#### 319. Attendance by Reserve Members

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

Ordinary Member

Councillor Bill Phillips

Reserve Member

Councillor Jerry Miles

#### 320. 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

Barry Macleod-Cullinane

Planning Application

2/03 Stanburn First and Junior Schools,  
Abercorn Road, Stanmore, HA7 2PJ

### **321. Declarations of Interest**

**RESOLVED:** To note that the following interest was declared:

Agenda Item 10 – Planning application 2/02 – Glebe Primary School, D’Arcy Gardens, Harrow

Councillor Mrinal Choudhury declared a non-pecuniary interest in that he had previously been a Governor of the school. He would remain in the room whilst the matter was considered and voted upon.

### **322. Minutes**

**RESOLVED:** That the minutes of the meeting held on 27 September 2012 be taken as read and signed as a correct record.

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

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

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

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

### **325. 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 2/04 on the list of planning applications.

## **RESOLVED ITEMS**

### **326. 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) WOOD FARM, WOOD LANE, STANMORE**

Reference: P/2277/12 (Mr Gaurang Velani). Variation of Condition 17 attached to Planning Permission P/2203/06/CFU dated 5<sup>th</sup> November 2009 from: “No Demolition Or Works In Connection With The Development Hereby Permitted Shall Commence Before a Regulation 44 (of the Habitat Regulations) Licence for the Relevant Protected Species has been Obtained,



and a Copy Submitted to the Local Planning Authority”, To: “No Demolition or Works in Connection With the Development Permitted (Other Than Those Works Illustrated and Referenced on Drawing Number 5272\_220\_A Relating Specifically to the Private Housing Entrance) Shall Commence Before a Regulation 44 (Habitat Regs) Licence for the Relevant Protected Species Has Been Obtained and a Copy Sent to the LPA”.

**DECISION:** It was noted that the application had been withdrawn.

**(APPLICATION 2/01) 11-15 ST ANNS ROAD, HARROW**

Reference: P/2348/12 (Mr Umar Farooq). Change of Use from Retail (Class A1) to Restaurant/Café (Class A3); Use of Front Public Forecourt for Siting of 8 Tables and 24 Chairs; Screens Around the Perimeter of the Seating area (Retrospective Application).

**DECISION: GRANTED** permission for the development described in the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported, with an additional informative that the applicant required a highways licence in order to place tables and chairs on the highway.

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

**(APPLICATION 2/02) GLEBE PRIMARY SCHOOL, D'ARCY GARDENS, HARROW**

Reference: P/2342/12 (Harrow Council). Erection of Single Storey Building (Up to 8.1m High) With Link-to Existing School Building; External Alterations including Boundary Treatment Along Glebe Lane; Provision of Five Additional Car Parking Spaces.

The Committee was informed that the officers were mindful of the elevation of the present school and had requested the Applicant to submit a revised elevation with windows. Subject to this condition being satisfied, the officers recommended that the application be granted.

In response to questions it was noted that the internal reorganisation of classrooms did not require planning permission.

Councillor Jerry Miles indicated that he had an open mind and had not predetermined the outcome.

**DECISION: GRANTED** permission, under Regulation 3 of the Town and Country Planning General Regulations 1992, for the development described in the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported and an additional condition that the School Travel Plan be submitted to the Planning Committee prior to occupation.

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

**(APPLICATION 2/03) STANBURN FIRST AND JUNIOR SCHOOLS, ABERCORN ROAD, STANMORE**

Reference: P/2020/12 (Harrow Council). Two Storey Extension with First Floor Link to Main Building; Alterations to School Pedestrian Entrance and Car Park; Provision of Four Additional Car Parking Spaces (Demolition of Existing Two Storey Annex Building).

In response to questions, it was noted that:

- planning guidance had been provided as to the suitability for expansion of each of the nine schools contained within the programme put forward by the education service. Each subsequent planning application had to be considered on its merits;
- the education and planning services had undertaken separate consultation. It was noted that consultation on the application had included 23, 24, 25 Abercorn Road. The distance travelled to school was not a planning consideration;
- the plans proposed 4 additional onsite car parking spaces which was in excess of the requirements of the London Plan. Due to congestion, particularly with regard to the collection of children from school, an attempt had been made for some increase in parking but there would be a reliance on the School Travel Plan. A 6% increase in walking was envisaged with a slightly smaller decrease in car use so a robust travel plan would be required. The lack of convenient parking could be a deterrent due to having to walk longer to school. It was commented that car sharing could be increased;
- the plans indicated 169 sq metres additional space;
- flood risk would be advised by the Environment Agency.

Councillor Jerry Miles indicated that he had an open mind and had not predetermined the outcome.

**DECISION: GRANTED** permission, under Regulation 3 of the Town and Country Planning General Regulations 1992, for the development described in the application and submitted plans, as amended by the addendum, subject to conditions and informatives reported and an additional condition that a School Travel Plan, which took account of the number of students when the development was completed, be submitted to the Planning Committee prior to occupation.

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

## **(APPLICATION 2/04) 24 WOODWAY CRESCENT, HARROW**

Reference: P/1899/12 (Mr S Hussain). Retrospective Application for Single Storey Side to Rear Extension; Proposed Modifications to Reduce Depth and Alterations to Roof.

The officers introduced the application, with reference to a further objection which was attached to the addendum which responded to those points that had not already been addressed. The enforcement appeal decision was circulated. A site visit had been undertaken.

It was noted that the 2003 planning permission had been implemented but was not in accordance with the plans. An enforcement notice was upheld because the appeal inspector considered retention impinged on the occupiers of 26 Woodway Crescent outlook.

In order to comply with the enforcement notice, the extension would have to be completely demolished. However the extension to the rear wall, without the wrap around, could then be implemented as permitted development. The adjoining neighbour had requested the revocation of permitted development rights but officers advised that this was not an area of such special character that would justify an Article 4 Direction removing permitted development rights.

In response to questions it was noted that:

- the monopitched roof on the rear extension would be retained and was considered to meet the requirements of the adopted Supplementary Planning Document. The side element would have a flat roof;
- in the view of the officers, it would be unreasonable to require the extension to be refused when it could be immediately rebuilt under permitted development rights;
- the measurement of the drop in heights for permitted development was from the highest adjacent land level;
- the impact on the window at no 26 Woodway Crescent had been a material consideration in the enforcement report.

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

The side to rear extension adjacent to the boundary shared with no. 26 Woodway Crescent, by reason of its depth, would result in a visually dominant form of development from the neighbouring property, no. 26 Woodway Crescent, to the detriment of the visual amenities and outlook of the occupiers of no. 26 Woodway Crescent, contrary to policy 7.6.B 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 for refusal was seconded, put to the vote and lost.

The Committee received representations from one objector, Mrs Sheila Kingsley, and the applicant, Mr S Hussain.

**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, Jerry Miles and William Stoodley voted to approve.*

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

**(APPLICATION 2/05) 19, 21 & REAR OF 11-29 ALEXANDRA AVENUE, HARROW**

Reference: P/0376/12 (Mr Steve Murphy). Retrospective Application for Revised Access Road and Associated Landscaping and Demolition of no. 19 and External Alterations to no. 21 Alexandra Avenue in Connection With Redevelopment to the Rear of 11-29 Alexandra Avenue (Variation of Scheme APP/M5450/A/1186950 Allowed on Appeal Dated 29/07/2006 for the Provision of 12 Two Storey Houses).

In response to questions it was noted that:

- it was not illegal to demolish one half of a pair of semi-detached houses provided planning permission or prior approval was received.
- the GLA CIL contribution goes to the GLA but from the following year an additional CIL levy would be due to Harrow Council.

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

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

**(APPLICATION 3/01) 24 WOODWAY CRESCENT, HARROW**

Reference: P/1898/12 (Mr S Hussain). Retrospective Application for Single Storey Side to Rear Extension; Proposed Modifications to Reduce Depth and Alterations to Roof.

It was noted that, unlike application 2/04 above, the extension was not within permitted development rights.

**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.*

**(APPLICATION 3/02) 24 WOODWAY CRESCENT, HARROW**

Reference: P/1900/12 (Mr S Hussain). Retrospective Application for Single Storey Side to Rear Extension; Proposed Modifications to Reduce Depth and Alterations to Roof.

It was noted that, unlike application 2/04 above, the extension was not within permitted development rights.

**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.*

**327. 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 8.20 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chairman

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