

PLANNING COMMITTEE

MINUTES

20 NOVEMBER 2013

Chairman: * Councillor William Stoodley

Councillors: * Keith Ferry * Bill Phillips
* Stephen Greek * Simon Williams
* Graham Henson (1) * Stephen Wright

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

469. Attendance by Reserve Members

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

Ordinary Member

Councillor Mrinal Choudhury

Reserve Member

Councillor Graham Henson

470. 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

Ben Wealthy

Planning Application

3/01 23 Jesmond Way, Stanmore

471. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

472. Minutes

RESOLVED: That the minutes of the meeting held on 16 October 2013 be taken as read and signed as a correct record.

473. Public Questions, Petitions and Deputations

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

474. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

475. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 25.1 (Part 4B of the Constitution), that Procedural Rules 30.2 and 30.6 be suspended to allow an applicant to speak in connection with planning application 3/01 although no objector had registered to speak and the application was recommended for refusal by the officers.

RESOLVED ITEMS

476. Planning Applications Received

RESOLVED: That authority be given to the Divisional Director of Planning to issue the decision notices in respect of the applications considered.

FIRST NATIONAL HOUSE, 53 - 61 COLLEGE ROAD, HARROW

Reference: P/2628/13 (Harrow The Hub Investments Ltd). Change of Use of the Ground Floor From Office (Class B1) to Retail (Class A1) with Minor External Alterations at Ground Floor Level.

It was noted that the application had been reported to the Planning Committee because the floor area for the proposed change of use would be greater than 400 sqm and therefore fell outside the Scheme of Delegation.

In response to questions, the Committee was informed that

- proposed Condition 3 restricted servicing and delivery to the premises to 03.00 to 06.00 Monday to Sunday and Bank Holidays. Any variation to this could be challenged as the Condition was attached to the planning permission granted in April 2013 for change of use from office building to retail gym and education which could still be implemented;

- the principal concern of both the officers and Transport for London (tfl) was the servicing of the premises due to the physical restraints of the site. The hours of 03.00 to 06.00 would enable the proposed moderate transit size vehicles to pull into the access way without pedestrian conflict. There was flexibility for longer vehicles as the network of roads could accommodate something slightly larger. Failure to adhere to that time slot could be subject to enforcement;
- there were currently no residential properties in the vicinity. However, it was understood that the applicant intended to change the use of the upper floors to residential use.

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

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

KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE

Reference: P/3112/13 (Avanti School Trust). Variation of Conditions 12 and 13 of Planning Permission P/1929/11 dated 28 March 2012 for Expansion of School from One to Two Form Entry and Single Storey Extension to Allow for Additional Pupil Numbers and for Use of Extension for Ancillary Activities.

Variation of Condition 12 (Use Class Restriction) From 'The Extension Hereby Permitted 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 Extension Hereby Permitted 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 13 (Restriction Of Use Of School By Pupils And Staff Only) From 'The Extension 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 Extension Hereby Permitted Shall Be Used For Primary Education Only And Shall Not Be Used, Hired Or Made Available For Use By Any Other Party'.

The Committee was informed that the application sought to vary the conditions for one year.

DECISION: GRANTED permission for the variation of conditions 12 and 13 described in the application and submitted plans, subject to conditions and informatives.

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

KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE

Reference: P/2585/13 (Krishna Avanti School Primary School). Variation of Conditions 5 (Hard and Soft Landscaping) and 6 (Landscaping Implementation) of Planning Permission P/1929/11 Dated 28/03/2012 for Extension to Main School Building to Allow Landscaping Proposal to Commence Prior to Construction of 2nd Phase.

The officer introduced the application stating that the works would still be required but would be delayed until completion.

The application was reported to the Committee due to the previously large public interest in the application site. However, no such interest had been forthcoming on this application so any further proposed variations in conditions would be dealt with by delegated authority, subsequent to consultation, unless there was significant public interest.

DECISION: GRANTED permission for the variation of conditions 5 and 6 described in the application and submitted plans, subject to conditions and informatives.

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

23 JESMOND WAY, STANMORE

Reference: P/2616/13 (Mr Irving Caplan). Single Storey Rear Two Storey Side and First Floor Other Side Extensions; Conversion of Garage to Room; Rear Dormer; Raising of Ground Level to Create Ramp at Front; Proposed Raised Decking at Rear ; External Alterations.

An officer introduced the report, noting that a site visit had taken place. The Committee was informed of discussions held with the applicant prior to submission and the advice given. Due to the personal circumstances of the applicant, an additional door and the extended width of the dormer were deemed acceptable. Over 90% of the application was acceptable in planning terms. The major concern of the officers was the infill of the first floor level on ...'this' ... side as it would impact adversely on the special character of the area as it removed the spacing with the adjoining property.

In response to questions, the Committee was informed that:

- there was no objection regarding the amenity of neighbours;

- as a result of the first floor side extension, the original catslide and hipped roof form of the property would be removed and the proposed crown roof would span across the entire width of the dwelling house. No property in the area had lost the whole of the original roof shape. It was however acknowledged that the proposal enhanced the flat roof extension;
- the recommendation for refusal was based on Harrow's policies in order to assess applications on their own merit but with the requirement to be consistent with regard to other sites. The proposals were aesthetically pleasing if taken in isolation but it was necessary to look at other factors such as the size of the plot and the relationship with the adjoining properties and the street scene;
- the applicant would have access to all areas except the stairwell and a small adjoining space on the first floor;
- there would be a slight increase in footprint as the garage was not as deep as the proposed side extension. That side of the property was acceptable;
- in determining the size of extension that would be acceptable, consideration was given to the relationship with the adjoining property and the location. In this application there was considered to be excessive site coverage. Discussions had taken place with the applicant to examine alternative schemes that would meet his needs. Normally first floor extensions were only acceptable on one side of a property. They were sometimes allowed on both side where there was ample space, that is depending on site circumstances;
- the officers were unable to measure the width of the passageway from the plan but was thought to be slightly in excess of 1 metre. The roof eaves would overhang the adjoining property;
- with regard to equality duty it was the view of the officers that the applicant's needs had been taken into account regarding the level access and the second entrance which were normally reasons for refusal. The roof height would normally have to be subservient and the rear dormer would not be so wide.

Members expressed the need to balance the officer concerns and defending the character of the area with the personal circumstances of the applicant which was a unique situation. The application had no amenity impact and, whilst not strictly within Harrow planning policies, appeared to be acceptable.

It was proposed, seconded and agreed that the application be deferred with a view to granting it at the next meeting in view of the mitigating circumstances.

The Committee received representations from the applicant, Irving Caplan.

DECISION: DEFERRED with a view to grant at the next meeting of the Committee due to mitigating circumstances

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

477. INFORMATION REPORT - Appeals and Enforcement Update Report

The Committee received a report which provided an overview of planning appeal decisions and enforcement statistics for Quarters 1 and 2 of 2013/14.

The officer reported that the second quarter planning appeal success rate had been outstanding for the Council, the numbers being well above the national average.

The number of planning enforcement notices issued had increased in the second quarter. Additional funding for two additional Enforcement Officers had been made available, one of whom had started work. It was therefore hoped that a significant increase in enforcement would result.

RESOLVED: That the report be noted.

478. 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 7.50 pm).

(Signed) COUNCILLOR WILLIAM STOODLEY
Chairman