

Planning Committee AGENDA

DATE: Wednesday 18 December 2013

TIME: 6.30 PM

VENUE: Council Chamber, Harrow
Civic Centre

A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 16 DECEMBER 2013 AT 6.30 PM IN COMMITTEE ROOM 3.

A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON SATURDAY 14 DECEMBER 2013 STARTING AT 10.00 AM.

MEMBERSHIP (Quorum 3)

Chairman: Councillor William Stoodley

Councillors:

Stephen Greek (VC)
Simon Williams
Stephen Wright

Mrinal Choudhury
Keith Ferry
Bill Phillips

Reserve Members:

1. Kam Chana
2. Amir Moshenson
3. Joyce Nickolay

1. Graham Henson
2. Ajay Maru
3. Sachin Shah

1. Mano Dharmarajah

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 - 8)

That the minutes of the meeting held on 20 November 2013 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

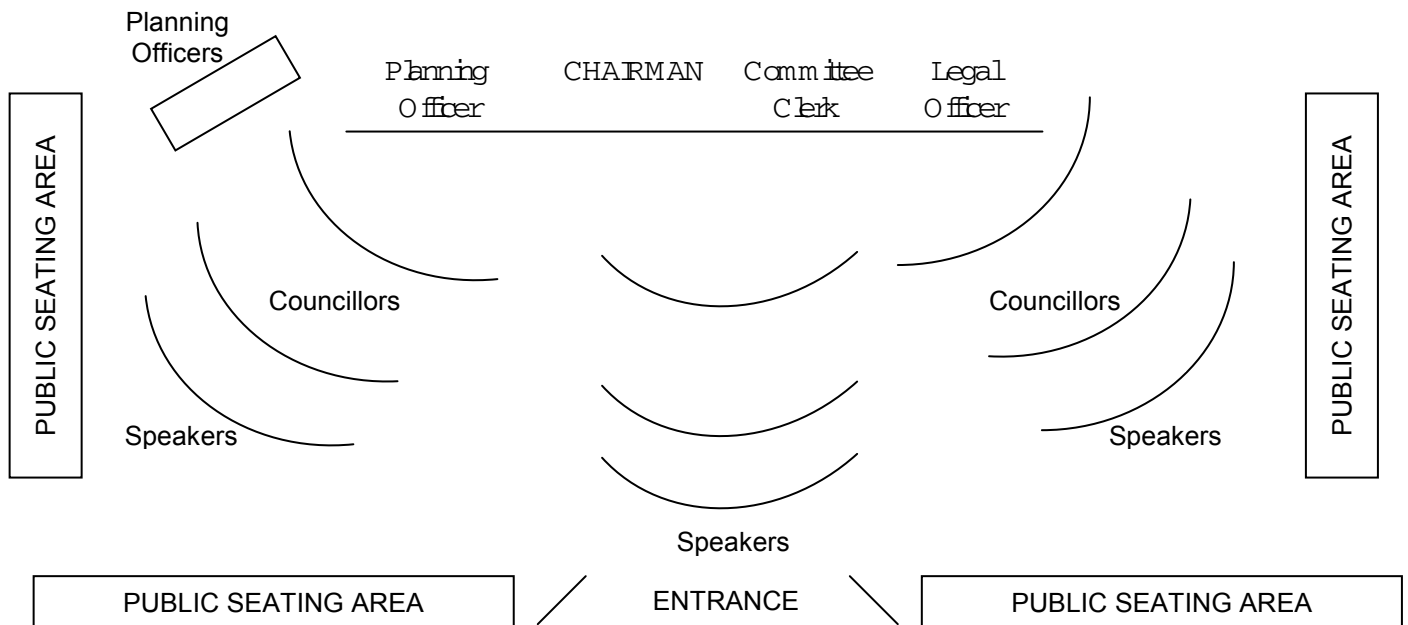
Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

Typical Planning Committee 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.

The Democratic Services Officer will ask those members of the public, who are seated before the meeting begins, which planning application they are interested in.

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

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) Denote category of Reserve Members

469. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Mrinal Choudhury

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

Planning Application

Ben Wealthy

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