

PLANNING COMMITTEE MINUTES

29 JUNE 2016

Chair: * Councillor Keith Ferry

Councillors: * June Baxter * Barry Kendler
* Simon Brown (4) * Pritesh Patel
* Stephen Greek * Anne Whitehead

In attendance: Jo Dooley Minute 254
(Councillors) Stephen Wright Minute 254
Christine Robson Minute 254

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

246. Attendance by Reserve Members

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

Ordinary Member

Councillor Mrs Christine Robson

Reserve Member

Councillor Simon Brown

247. 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:

<u>Councillor</u>	<u>Planning Application</u>
Jo Dooley	2/06
Christine Robson	1/02
Stephen Wright	2/01

248. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning Applications Received (item 1/02)

Councillor Barry Kendler declared a non-pecuniary interest in that he lived in the vicinity of the application site. He would remain in the room whilst the matter was considered and voted upon.

Councillor Pritesh Patel declared a non-pecuniary interest in that his daughter attended Avanti House School. He would leave the room whilst the matter was considered and voted upon.

249. Minutes

RESOLVED: That the minutes of the meeting held on 25 May 2016 be taken as read and signed as a correct record, subject to the following amendment on page 8:

Councillor Pritesh Patel declared a non-pecuniary interest in that his daughter attended Avanti House School. He would leave the room whilst the matter was considered and voted upon.

250. Public Questions and Deputations

RESOLVED: To note that none were received.

251. Petitions

RESOLVED: To note the receipt of the following petition, which was referred to the Corporate Director, Community for consideration:

A Petition containing 204 signatures with the following terms of reference:

We, the undersigned object to planning applications P/1014/16 and P/1022/16 in respect of John Lyon School pupil expansion and accompanying traffic plan.

252. References from Council and other Committees/Panels

RESOLVED: To note the Reference from the Special meeting of the Traffic and Road Safety Advisory Panel on 27 June 2016.

253. 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 items 1/02, 2/01, 2/05, 2/07 and 2/08 on the list of planning applications.

RESOLVED ITEMS

254. 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.

1/01 – GREENHILL SERVICE STATION, MARSH ROAD, PINNER

REFERENCE: P/5932/15 (Churchill Retirement Living)

DESCRIPTION: Redevelopment: Construction Of A Five Storey Building To Provide 29 Bedroom Sheltered Retirement Flats (Use Class C3) With Parking Bin / Buggy Storage And Landscaping (Demolition Of Existing Petrol Station)

An officer advised that the application had in error been listed in the agenda as being Use Class C2 and that this should read Use Class C3.

Following questions from Members, an officer advised that:

- the mix of housing was considered to be appropriate and in line with the aspirations of the London Plan and the Core Strategy. The National Planning Policy Framework (NPPF) sought to encourage a modal shift, and the site was to be a sheltered retirement development located in sustainable location ie it was in a District Centre, close to amenities with a good PTAL rating and close to other District Centres and the Town Centre. The level of parking offered was within London Plan policies and the Highways Authority was of the view that this was an appropriate level for this type of location and there was a condition of approval restricting residents from applying for parking permits and the Submission of a Travel Plan;
- although planning policies and strategies provided guidance regarding how much parking should be available at such developments, it was not prescriptive in this. In any case, the levels of available parking at such developments was typically shaped by market forces. Potential buyers and tenants would be made aware of the limited parking

provision and that they would not be eligible for a Resident Parking Permit or Visitors Parking Permit to park a motor vehicle where a CPZ has been implemented unless they held a Disabled Person's Badge;

- condition 21 required the development to be carried out in accordance with the approved Flood Risk Assessment (FRA) and mitigation measures to ensure that the development would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere.

A Member proposed deferring the item on the following grounds:

1. To allow the applicant the opportunity to re-consider and increase the levels of parking provision at the development.

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

Officers advised that it would not be possible to increase the number of parking spaces at the development without losing some of the area designated for refuse and buggy storage or by substantially altering the design of the proposed development.

DECISION: GRANTED,

RECOMMENDATION A

GRANTED, permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement

RECOMMENDATION B

That if, by 29th August 2016 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Barry Kendler and Anne Whitehead voted for the application.

Councillors June Baxter, Stephen Greek and Pritesh Patel abstained from voting.

1/02 – WHITCHURCH PLAYING FIELDS, WEMBOROUGH ROAD, STANMORE

REFERENCE: P/4910/15 (Bowmer Kirkland/Education Funding Agency)

DESCRIPTION: The Erection Of A Three Storey Building For Use As A School With Detached Sports Hall/Community Changing Block, Hard And Soft Landscaping, Sports Pitches And Multi-Use Games Areas (MUGA), Hard And Soft Play Areas, Parking, Bin Storage And Boundary Treatment

Councillor Pritesh Patel left the room during consideration of this item.

The comments of the Chair of the Traffic and Road Safety Advisory Panel (TARSAP) which were contained in the Reference received from TARSAP, were read out. An officer advised that:

- the addendum contained 4 additional objections (two of which were from the same respondent) and a summary of the additional comments received from the Canons Park Residents' Association. Most of the issues raised by the above had already been dealt with in the initial report submitted to the Planning Committee in February 2016 or were covered under the conditions and mitigations related to the application. Issues relating to traffic speed, HGVs fell under the remit of Highways or TfL and the remaining issues did not fall within the remit of the Planning Committee;
- he added that the application had undergone a pre-application process followed by a formal consultation process whereby the views of the local community had been sought, and therefore there was no reason to defer the application.

A Member stated that, although he was sympathetic to the concerns expressed by residents, he was confident that the school could implement its ambitious travel plan.

A Member added that the Committee had to balance the need for additional school places against the loss of an area of public space. This loss of space would be mitigated through the Community Use Agreement, whereby an area of parkland and new sports facilities available to the public.

Another Member stated that the Council had a statutory duty to provide sufficient school places at appropriate locations throughout the borough. Avanti House School had submitted a robust STP and added that she hoped that the school would discourage sixth formers from driving to school.

A Member stated that he was reassured by the School's and the EFA's commitment to implementing the STP and to monitoring and reviewing this and any increase in traffic and congestion in the vicinity of the school.

The Committee received representations from two residents, Mr Mason and Mr Hayeem, the applicant's representative, Sue Archer and from Councillor Mrs Christine Robson.

DECISION: GRANTED

RECOMMENDATION A

GRANTED planning permission subject to:

- i) conditions, and as amended by the addendum; and
- ii) the completion of a section 106 Planning Obligation;

by 31st August 2016 or such extended period as may be authorised by the Divisional Director in consultation with the Chairman of the Planning Committee. Authority to be given to the Divisional Director of Regeneration, Enterprise and Planning, in consultation with the Director of Legal and Governance Services, for the sealing of the section 106 Planning Obligation and to agree any minor amendments to the conditions, informatives, drawing numbers and the Planning Obligation terms.

RECOMMENDATION B

That if, by 31st August 2016, or such extended period as may be authorised, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

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

1/03 – HASLAM HOUSE, HONEYPOT LANE, STANMORE

REFERENCE: P/1112/16 (Harrow Council)

DESCRIPTION: Redevelopment To Provide Two Blocks Of Three Storey Terraced Dwellings , One Block Of Two Storey Terraced Dwellings, One Pair Of Semi-Detached Dwellings And One Detached Dwelling (15 In Total); Parking; Landscaping; Refuse And Cycle Storage: Alterations To Existing Vehicle Access (Resident Permit Restricted)

An officer advised that the applicant was Harrow Council and not Mr Govert as stated in the agenda.

Following questions from Members, officers advised that:

- Haslam House shared the same postal address as the bungalow next door and the refusal of previous applications set out in the report related to the bungalow property;
- the applicant had engaged in extensive pre-application discussions with the Council. The nature of the site meant that it was difficult to

service in terms of waste management because of the requirement for a carriageway to enable refuse vehicles to access the bin store;

- there would be no additional parking available for the residents at the neighbouring development, Chichester Court.

A Member proposed refusal on the following grounds:

The proposal, by reason of excessive density, scale, bulk and insufficient parking provision, and the siting of the gatehouse building incorporating the bin store, will have an unacceptable impact on local amenity and the future occupiers of the development, parking overspill and highway safety, whilst making insufficient provision to mitigate its transport impacts, contrary to policies DM1 and DM43 of the Development Management Policies Local Plan (2013), CS1 of the Core Strategy (2012), and 6.13, 7.4 and 7.6 of the London Plan (2015).

The motion was seconded, put to the vote and won.

DECISION: REFUSED

The Committee wished it to be recorded that the decision to refuse the application was by a majority of votes.

Councillors June Baxter, Stephen Greek, Barry Kendler and Pritesh Patel voted against the application.

Councillors Simon Brown, Keith Ferry and Anne Whitehead voted for the application.

2/01 – LIDL UK GMBH , 69 BRIDGE STREET, PINNER

REFERENCE: P/1822/16 (Mr Henry Neel)

DESCRIPTION: Display One Internally Illuminated Free-Standing Totem Sign (Retrospective)

Following questions from Members, an officer advised that the objection to the application related to the times of day during which the sign had been illuminated in the past. She added that there were conditions to restrict the hours during which the sign could be illuminated and its maximum luminance. Officers in Environmental Health had confirmed that the light from the sign was not visible from the windows of nearby properties.

A Member proposed refusal on the following grounds:

The proposal would have an adverse impact on neighbouring residents by reason of siting, illumination, would harm the visual amenity and character of the area, and would be inappropriate in design and scale, contrary to policy DM5 of the Local Plan and paragraphs 67 and 68 of the NPPF. The motion was seconded, put to the vote and won.

The Committee received a representation from an objector, Mr G T Jones and from Councillor Stephen Wright.

DECISION: REFUSED

The Committee wished it to be recorded that the decision to refuse the application was by a majority of votes.

Councillors June Baxter, Stephen Greek, Barry Kendler, Pritesh Patel and Anne Whitehead voted against the application.

Councillors Keith Ferry and Simon Brown voted for the application.

2/02 – 1-9 ST ANNS ROAD, HARROW

REFERENCE: P/1466/16 (David Yeaman & Associates)

DESCRIPTION: Redevelopment To Provide Two Blocks Of Three Storey Terraced Dwellings , One Block Of Two Storey Terraced Dwellings, One Pair Of Semi-Detached Dwellings And One Detached Dwelling (15 In Total); Parking; Landscaping; Refuse And Cycle Storage: Alterations To Existing Vehicle Access (Resident Permit Restricted)

Following questions from Members, an officer advised that:

- both Highways and Urban Design officers had been consulted regarding the proposed development. The applicant had prepared a Heritage Statement and officers were confident that the proposal would preserve the interest and setting of the adjacent listed building;
- the existing office floor space at first and second floor of 1-9 St Ann's Road would be retained and renewed;
- the mixed-use building would enhance the urban environment in terms of material presence, active streetscape, and makes a positive contribution to the local area, in terms of quality and character.

DECISION: GRANTED,

RECOMMENDATION A

GRANTED permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement, and as amended by the Addendum.

RECOMMENDATION B

That if, by 29th August 2016 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Simon Brown, Keith Ferry, Barry Kendler and Anne Whitehead voted for the application.

Councillors June Baxter, Stephen Greek and Pritesh Patel voted against the application.

2/03 – ST. ANSLEMS CATHOLIC PRIMARY SCHOOL, ROXBOROUGH PARK, HARROW

REFERENCE: P/1998/16 (Governors of St Anselms Catholic Primary School)

DESCRIPTION: Replacement Windows To Main Hall

DECISION: GRANTED

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

2/04 – 75 LOCKET ROAD, WEALDSTONE, HARROW

REFERENCE: P/1608/16 (Mr Valji Rabadia)

DESCRIPTION: Conversion Of Single Dwellinghouse To Four Flats With Separate And Communal Amenity Spaces; Parking And Bin / Cycle Storage (Demolition Of Conservatory)

DECISION: The application was withdrawn.

2/05 – 47 HIGH STREET, EDGWARE

REFERENCE: P/4593/15 (Mr Sundeep Bhamra)

DESCRIPTION: Part Change Of Use From Storage (Use Class B8) To Kitchen Facilities Ancillary To The Existing Banqueting And Wedding Venue (Sui Generis); External Staircase

Following questions from Members, an officer advised that:

- the banqueting facilities had been operating at the premises for some time. The Planning department had not received any complaints from local residents in relation to the premises. However, a complaint had been made to Environmental Health in 2014;
- the 1st floor storage area would be used to expand the existing kitchen and function room area.

The Committee received representations from an objector, Mr Melbourne, and from the applicant, Mr Bhamra.

Following the concerns expressed by the objector, who was a local resident whose bedroom overlooked the car park for the premises, it was agreed that an additional condition, condition 8, set out below, be added.

DECISION: GRANTED,

RECOMMENDATION A

GRANTED permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) The submission of a Travel Plan
- ii) The submission of an Event Management Strategy; and
- iii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement
- iv) Planning Administration Fee: A £500 fee payable to the Local Planning Authority for monitoring of compliance with the agreement;
- v) An additional condition, condition 8 be added as follows:

Condition 8) The car parking spaces and area shown on the approved drawings shall be vacated and must not be open to customers and staff outside of the following times without the prior written permission of the Local Planning Authority: 23:30 hours to 07:00 hours, Monday to Friday. 00:30 hours to 07:00 hours, Saturday AM and Sunday AM. 23:00 hours to 08:00 hours, Sundays, Mondays AM and BANK Holidays.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policies DM1, DM40 and DM41 of the Harrow Development Management Policies Local Plan (2013).

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 28 September 2016, then it is recommended to delegate the decision to **REFUSE** Planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure a Travel Plan and Event Management Strategy would result in an unacceptable and adverse impact on the amenities of the surrounding properties and would prejudice the free flow of traffic with consequent harm to highway safety and residential amenity, contrary to policy 8.2 of the London Plan (2015) and policies DM42 and DM43 of the Harrow Development Management Policies (2013).

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

2/06 – 87 SANDRINGHAM CRESCENT, HARROW

REFERENCE: P/0865/16 (Mrs Vijitha Vijayakumar)

DESCRIPTION: Conversion Of Single Dwelling To Two Flats With New Access; Parking, Separate Amenity Space, Bin / Cycle Storage

Following questions and comments from Members, an officer advised that although the ceiling height of the loft space did not meet the higher encouraged standards set by the London Plan, it was within nationally prescribed levels. Raising the roof ridge would be one way to increase the ceiling height, however, this would change the character of the property.

A Member proposed refusal on the following grounds:

The proposed development would harm the character of the area and the amenities of local residents and future occupiers, contrary to policy DM1 of the Development Management Policies Local Plan (2013), Core Policy CS1 B of the Core Strategy (2012) and Policies 7.4B and 7.6B of The London Plan (2015).

The motion was seconded, put to the vote and won.

The Committee received a representation from Councillor Jo Dooley.

DECISION: REFUSED

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

2/07 – JOHN LYON SCHOOL, MIDDLE ROAD, HARROW

REFERENCE: P/1020/16 (The Keepers & Governors of The Free Grammar School)

DESCRIPTION: Modification To Section 106 Planning Obligation Relating To Planning Permission West/695/94/Ful Dated 23rd June 1995 (Principal Agreement) To Increase The Number Of Pupils On Roll From 525 To 710 (Previously Modified By Deed Of Variation Dated 24.09.2007)

Following questions from Members, an officer advised that the main difference between the current and previous application (which had been refused) was the submission of a transport assessment, revision to the schedule of modifications to enable enforcement of the School Travel Plan and an agreement with TfL to work towards Gold accreditation for its STP by 2020.

A Member stated that, in his view, the area where the school was located had a good PTAL rating and added that the School Travel Plan needed to go further to demonstrate that the proposed expansion would not further exacerbate traffic and congestion issues in its vicinity. He proposed refusal on the following grounds:

The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

The motion was seconded, put to the vote and won.

DECISION: REFUSED

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

2/08 – JOHN LYON SCHOOL, MIDDLE ROAD, HARROW

REFERENCE: P/1014/16 (The Keepers & Governors of The Free Grammar School)

DESCRIPTION: Modification To Section 106 Planning Obligation Relating To Planning Permission West/695/94/Ful Dated 23rd June 1995 (Principal Agreement) To Increase The Number Of Pupils On Roll From 525 To 660 (Previously Modified By Deed Of Variation Dated 24.09.2007)

A Member proposed refusal on the following grounds:

The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

The motion was seconded, put to the vote and won.

DECISION: REFUSED

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

255. 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 9.37 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair