

# PLANNING COMMITTEE

## MINUTES

### 24 JANUARY 2018

<b>Chair:</b>	Councillor Keith Ferry	
<b>Councillors:</b>	June Baxter * Simon Brown (2) Stephen Greek	* Nitin Parekh (1) Pritesh Patel Mrs Christine Robson
<b>In attendance: (Councillors)</b>	James Bond Ms Pamela Fitzpatrick Janet Mote	Minute 521 Minute 521 Minute 521

\* Denotes Member present  
(1) and (2) Denote category of Reserve Members

#### 513. Attendance by Reserve Members

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

Ordinary Member

Councillor Ghazanfar Ali  
Councillor Simon Brown

Reserve Member

Councillor Nitin Parekh  
Councillor Anne Whitehead

#### 514. 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>
James Bond	1/01: Kodak Sports Ground & Pavillion, Harrow View West
Pamela Fitzpatrick	1/01: Kodak Sports Ground & Pavillion, Harrow View West
Janet Mote	1/01: Kodak Sports Ground & Pavillion, Harrow View West

#### **515. Declarations of Interest**

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

##### Agenda Item 10C (22 Hide Road) – Planning Applications Received

Councillor Simon Brown declared a non-pecuniary interest in that the application site for item 2/01: 22 Hide Road was located adjacent to his property. He would leave the room whilst the matter was considered and voted upon.

##### Agenda Item 10F (11 Sherington Avenue) - Planning Applications Received

Councillors Simon Brown, Keith Ferry, Nitin Parekh and Christine Robson declared pecuniary interests in that the applicant was related to a Member of the Labour Group. They would leave the room whilst the matter was considered and voted upon.

#### **516. Minutes**

**RESOLVED:** That the minutes of the meeting held on 14 December 2017 be taken as read and signed as a correct record.

#### **517. Public Questions, Petitions & Deputations**

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

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

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

### **RESOLVED ITEMS**

#### **519. Addendum 1 & 2**

**RESOLVED:** That both addendums be accepted.

## 520. 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 1/01, 2/01, 2/05, 2/07 & 2/08 on the list of planning applications.

### Planning Applications Received

#### 521. 1/01: KODAK SPORTS GROUND AND PAVILION, HARROW VIEW (HARROW VIEW WEST) - P/4037/16

**PROPOSAL:** *Development to provide 425 residential dwellings (Use Class C3); associated car parking; cycle parking; refuse storage; landscaping; electrical substation; open space and associated works.*

Following questions and comments from Members, an officer advised that:

- the revised application had been considered on its merits. The Council had adopted its Area Action Plan (AAP) before the 'Heart of Harrow' had changed its designation from an Intensification Area to an Opportunity Area. The AAP did not specify the maximum number of storeys permitted at new developments. The entire Heart of Harrow Opportunity Area had been designated as one of the Mayor of London's Housing Zones. If an application was deemed to be based on sound design rationale then it would be deemed acceptable. The number of storeys would depend on the capacity for intensification at a site and locally projected population increases. Although the site was located next to a local heritage site, Historic England had not raised any objections to the revised plans;
- the previously approved green link, (which ran from east to west from Harrow View and the area of open space located adjacent to Headstone Manor), would be retained within the current proposal;
- the proposed number of car parking spaces were in line with provisions of the London Plan Sustainable transport requirement. Section.106 monies would be used to implement a new Controlled Parking Zone (CPZ) in the area;
- whether or not the H14 bus service was extended would be a matter for Transport for London (TfL) and this was not within the remit of the Highways Authority. TfL had confirmed that the H14 route would be increased. In addition to the Green Link, there would be a cycle quietways route and modal shift would be promoted among residents in the area.

The Committee received representations from an objector, Pamela Swain and from, Caroline Owen, a representative of the applicant, and Councillors James Bond, Pamela Fitzpatrick and Janet Mote.

A Member proposed refusal on the following grounds:

This proposal is an overdevelopment in an area of green open space, which will harm local character and amenity, by reason of excessive density, height, scale and bulk, lack of family homes and insufficient parking provision, contrary to policies DM1, DM18, DM24 and DM42 of the Harrow Development Management Policies Local Plan (2013), AAP4, AAP5, AAP66 and AAP13 of the Harrow and Wealdstone Area Action Plan (2013), CS1 and CS2 of the core strategy (2012), and 6.13, 7.4, 7.6 and 7.18 of the London Plan (2016).

The Chair stated that leasehold disputes between the applicant and residents were not material planning considerations. He added that under the Kodak Master Plan which had been agreed in 2016, permission had been granted for the construction of 314 residential units. The revised application proposed a 250% increase to that figure although the capacity of the site had not increased. Another Member stated that he was disappointed with the application as there was no commensurate increase in the affordable housing quota, insufficient parking and the impact and loss of amenity of neighbouring properties. Another Member stated that she was disappointed by the proposed increase in massing and density under the revised plans and the likely negative impact on the area.

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

**DECISION: REFUSED**, refer this application to the Mayor of London (the GLA) as a Stage 2 referral.

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

**522. 1/02: PLOT D7, DEVELOPMENT ZONE D HARROW VIEW EAST (FORMER KODAK FACTORY SITE) HEADSTONE DRIVE, HARROW - P/5079/17**

**PROPOSAL:** *Approval of all reserved matters for development plot D7 and the Green Link of Development Zone D of the Harrow View East Masterplan and details pursuant to conditions 7(Urban Design Report), 8(Energy Strategy), 9(Ecology and Biodiversity Strategy), 11(Housing Schedule), 12(Daylight and Sunlight Assessment), 13(Surface Water Drainage Strategy), 14(Accessibility Strategy), 15(Lighting Strategy), 16(Refuse Strategy), 17(Noise and Vibration Strategy), 18(Arboricultural Strategy), 19(Landscaping), 20(Transport Strategy), 21(Levels), 22(Open Space Strategy) following outline planning permission granted under P/2165/15 dated 09.12.2015 for the comprehensive phased, mixed use development of land bounded by Harrow View and Headstone Drive (known as Harrow View East)*

Following questions and comments from Members, an officer advised that an additional condition had been attached to the reserved matter application dealing with operational access for the proposed school which dealt with all concerns that had been raised by the EFSA (Education Funding and Skills

Agency) regarding operational and permanent access to the school site. Officers were awaiting agreement from the EFSA on the final wording of the new condition.

A Member expressed reservations about granting planning permission prior to receiving agreement from the EFSA regarding the new condition. The Member expressed concerned that the EFSA may not be agreeable to the new condition and may request further amendments to it.

An officer advised that Children's Services had not raised any concerns regarding the wording of the new condition and that a senior member of staff from Children's Services had been involved in the recent discussions with the ESFA. The Chair advised that it was for the Committee to decide whether to grant Planning Permission and this was not the responsibility of Children's Services or the ESFA. He stated that in his view, the new condition went further than the previous one and addressed all the concerns of the ESFA. The developer would submit final proposals in six months' time. He proposed that an additional condition whereby the School access and management strategy should be submitted to the Committee for approval. This was agreed by the Committee.

An officer advised that authority could be delegated to the Divisional Director of Planning in consultation with the Chair of the Planning Committee and the lead officer for the application to finalise the wording of the condition relating to access to the school. The Chair added that the Divisional Director would consult all relevant internal and external parties and The ESFA would have an opportunity to comment before the final decision was taken.

**DECISION: GRANTED,**

- (1) planning permission subject to the Conditions listed in Appendix 1 of the officer report, and as amended by the Addendums;
- (2) the development hereby approved shall provide a School Operational Access and Management Strategy (SOAMS). The SOAMS shall be submitted in two parts and shall include the following:
  - a) Within six months of the grant of this decision to submit to the Local Planning Authority in writing for its approval, details to show how operational access identified in a scaled plan could be provided and retained, demonstrating; that vehicular access for the School on development plot A6 (for servicing and staff/visitor parking only) can be made available from the approved shared surface route and through the green link and pedestrian access along the approved shared surface route (located on development plot D7) for the School. The details as agreed for the main access road (but not the junction into the school) shall be put in place within 15 months of the grant of this decision unless otherwise agreed in writing by the local planning authority.

- b) prior to six months of the practical completion of the school building in A6, to submit to the Local Planning Authority in writing for its approval, full details of how permanent operational access identified in a scaled plan will be provided and retained up to the boundary of the school, demonstrating; that permanent vehicular access for the School on development plot A6 (for servicing and staff/ visitor parking only) shall be made available from the approved shared surface route and through the green link and pedestrian access along the approved shared surface route (located on development plot D7) for the School. The works shall be completed prior to the first occupation of the School but not before 15 months from the grant of this decision;
- c) the SOAMs to be submitted to the Planning Committee for approval.

The development shall be completed and operated in accordance with the approved SOAMS and the requirements of the above shall be retained in place in perpetuity, unless otherwise agreed in writing by the local planning authority.

**REASON:** To ensure that the delivery of the proposed School at operational stage is not prejudiced by the proposed development and to ensure that the aspirations of the wider Harrow View Masterplan to bring forward a sustainable community development is met.

*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, Nitin Parekh and Christine Robson voted for the application.*

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

**523. 2/01: 22 Hide Road, Harrow - P/5149/17**

**PROPOSAL:** *Conversion of existing dwelling into 3 flats with associated external alterations; refuse and cycle storage*

Councillor Simon Brown left the room during consideration of this item.

Following questions and comments from Members, an officer advised that:

- the property was currently a 4-bedroom dwelling house. Under the plans, each unit would be allocated an area of garden and would have separate access to it;
- the Highways Authority was of the view that the proposed development would have a negligible impact on traffic and parking locally;

- the application was compliant with the provisions of the London Plan. It was important to note that if the applicant chose to convert the property into an HMO (House of Multiple Occupation) then he would not require planning permission.

The Committee received representations from an objector, Mr Stott and from Mr Hirani, a representative of the applicant.

A Member proposed refusal on the following grounds:

‘The proposal is an overdevelopment that would harm local character and amenity, by reason of excessive scale, bulk and insufficient parking provision, contrary to policies DM1, DM26 and DM42 of the Harrow Development Management Policies Local Plan (2013), CS1 of the Core Strategy (2012), and 7.4 and 7.6 of the London Plan (2016).’

The Chair stated that the loss of family homes as a result of conversion to flats was regrettable.

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.*

#### **524. 2/02: CONGRESS HOUSE, LYON ROAD, HARROW - P/4510/17**

**PROPOSAL:** *Outline application for access, appearance, layout and scale; addition of roof extension to create 7th floor (8th storey) to provide 4 flats; infill of undercroft car parking area to provide additional 2 flats with amendments to car and cycle parking provision; external alterations*

Following questions and comments from Members, an officer advised that it was considered that the proposal would not compromise any protected views of Harrow on the Hill or St Mary’s Church.

Furthermore, the officer reported that a further condition would be recommended to ensure that the two roof level flats that were north facing were made dual aspect through the insertion of windows within each side wall of the living rooms with associated amendments to the terraces to protect the privacy of all residents.

**DECISION: GRANTED**, planning permission subject to the Conditions listed in Appendix 1 of the officer report, and as amended by the Addendums.

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

**525. 2/03: STANMORE & EDGWARE GOLF CENTRE, BROCKLEY HILL, STANMORE - P/1525/17**

**PROPOSAL:** *“Change of use from a golf driving range with ancillary golf shop and first floor flat (Class D2) together with two storey rear extension and external alterations to nine flats (Class C3); Single storey detached building at side for use as replacement golf reception building; provision of parking, refuse and cycle facilities”*

Following questions and comments from Members, an officer advised that:

- most of the site related to previously developed land and the overall scale of the development would be limited. Planning policy sought to maximize output on previously developed land. Therefore, the proposed development would not have a greater impact on the openness of the Green Belt;
- some of the proposed units would have generous proportions.

A Member proposed refusal on the following grounds:

1. ‘The proposal would harm the openness, visual amenity and character of the Green Belt, contrary to policies DM1 and DM16 of the Local Plan, CS1 of the Core Strategy and 7.4, 7.6 and 7.16 of the London Plan.

The Chair proposed adding the additional reasons to the above motion:

2. ‘This proposal is contrary to Policy 7.16 of the London Plan which supports the aim of paragraph 87 of the NPPF and states that ‘the strongest protection should be given to London’s Green Belt....Inappropriate development should be refused except in very special circumstances.’; and
3. It is unacceptable due to the loss of sports facilities, contrary to policies CS1-G which supports access to sport and recreational facilities and DM 47 and the CS1F which states that open spaces should not be eroded by inappropriate uses.’

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.*

**526. 2/04: 11 SHERINGTON AVENUE - P/5427/17**

**PROPOSAL:** *Single and two storey side to rear extension, single storey rear extension, rear dormer, two rooflights in front roofslope to create habitable roofspace.*



**DECISION: DEFERRED**, subject to a site visit.

**527. 2/05: 37 GLANLEAM ROAD - P/3009/17**

**PROPOSAL:** *Raised Patio And Steps At Rear (Retrospective)*

Following questions and comments from Members, an officer advised that:

- there was a typographical error at paragraph 6.4.3 and it should read 'comply with' (rather than contrary to);
- the back garden area sloped towards the house and the raised patio and steps sought to create a more level area;
- the Council's drainage team had raised no objections and there was an additional condition listed on the second Addendum which would ensure that adequate and sustainable drainage facilities were provided and would prevent any increased risk of flooding.

The Committee received representations from an objector, Mr Martin Leigh and from Mr Dipesh Shah, a representative of the applicant.

The Chair advised that the property dispute between the applicant and his neighbour was a legal matter and was not a material planning consideration.

An officer proposed an additional condition relating to landscaping and materials to ensure a satisfactory appearance of the patio and external areas subject of the application. This was agreed by the Committee.

A Member proposed refusal on the following grounds:

'The proposal would harm the character and amenity of neighbouring properties, and lacks satisfactory arrangements to manage flood risk, contrary to policies DM1, DM9 and DM10 of the Local Plan, CS1 of the Core Strategy, and 5.12, 7.4 and 7.6 of the London Plan.'

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

**DECISION: GRANTED** planning permission, and as amended by the Addendums and the additional condition.

*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, Nitin Parekh and Christine Robson voted for the application.*

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

**528. 2/06: 11-19 THE BRIDGE, HARROW - P/2597/17**

**PROPOSAL:** *Four Storey Rear Extension; Second Floor Infill Extension; Conversion Of First And Second Floors From HMO To Eight Flats; Conversion Of Four Lower Ground Floor Retail Storage Areas To Three Offices; New Shop Fronts (Part Retrospective)*

**DECISION: GRANTED**

**RECOMMENDATION A**

Planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning until the expiry period of consultation has been completed on 25<sup>th</sup> January 2018 and subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) or the legal agreement, and as amended by the Addendums.

**RECOMMENDATION B**

That if, by 24<sup>th</sup> April 2018 or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Regeneration, Enterprise and Planning.

An officer proposed an additional condition for the submission of design details relating to window reveals and other architectural features proposed on the development to ensure the finished development was of a satisfactory standard having regard to the statutorily listed station opposite, the locally listed building adjoining at No. 21 The Bridge, and the general character of the Victorian buildings to the rear of the site. Members agreed the additional condition.

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

**529. 2/07: WEST END LAWN TENNIS CLUB, CUCKOO HILL ROAD, PINNER - P/4320/17**

**PROPOSAL:** *Erection of four floodlight luminaires attached to new replacement chain link fence posts (court nos. 4 and 5); addition of four luminaires to existing columns (columns nos. 1, 2 and 3) at a height of 4.5m (facing courts no. 4 & 5).*

Following questions and comments from Members, an officer advised that:

- it was proposed to attach 4 luminaires on the existing columns which serve courts 1 and 2. These luminaires would be at a maximum height

of 4.5m and would face towards courts 4 and 5. The columns at the centre were higher than the proposed lights which would be at 4.5 m and no additional columns were proposed to be installed;

- previous applications had been refused on the basis of light spillage and the height of the columns, which had subsequently been removed;
- the Council's Lighting engineer had not objected to the plans providing that a condition was attached requiring post-installation measurements be taken to ensure no undue light spillage results.

The Committee received representations from an objector, Mr Nelken and from Ms Pinching, the applicant.

A Member stated that he had concerns regarding the effect of light spillage on the quality of life of local residents. He proposed refusal on the following grounds:

'The proposal would harm local amenity, contrary to policies DM1 and DM48 of the Local Plan, CS1 of the Core Strategy and 7.4 of the London Plan.'

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

**DECISION: GRANTED**, planning permission subject to the Conditions listed in Appendix 1 of the officer report, and as amended by the Addendums.

*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, Nitin Parekh and Christine Robson voted for the application.*

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

**530. 2/08: 31 COLEDALE DRIVE, STANMORE - P/4662/17**

**PROPOSAL:** *Certificate of lawful development (proposed): Use of study room on ground floor as office for private tuition of 10 students for 17 hours per week between 5pm-8pm Monday and Thursday, 7pm-9pm Tuesday, 6pm-8pm Wednesday and Friday, 10am-1pm and 2pm-4pm on Saturday*

Following questions and comments from Members, an officer advised that the Committee was required to consider the terms of the application relating to the use of the study rather than any previous or potential use.

The Committee received representations from an objector, Mr Radia and from Mrs Shah, the applicant.

A Member proposed refusal on the following grounds:

The proposal would not constitute 'incidental' use of the main dwellinghouse, in view of the likelihood of increased disturbance to neighbouring properties.'

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

**DECISION: GRANTED**, a Certificate of Lawful Development, as amended by the Addendums.

*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, Nitin Parekh and Christine Robson voted for the application.*

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

**531. 2/09: PLOT D8, HARROW VIEW EAST (FORMER KODAK FACTORY SITE), HEADSTONE DRIVE, HARROW - P/5244/17**

**PROPOSAL:** *Full planning permission is sought for the demolition of the existing building surrounding the factory chimney; retention of existing chimney and construction of a new single and two storey building comprising an energy centre (Sui Generis) and a flexible community space (Use Classes D1/D2)*

Following questions and comments from Members, an officer advised that:

- all works would take place outside nesting season. There was a condition requiring that a bird nesting survey be undertaken by a suitably qualified ecologist no greater than 24 hours prior to works commencing. The wider masterplan for the site included plans to encourage wildlife and ecology along the green link;
- the elevations would be rendered in concrete and there was a condition regarding materials to be used.

**DECISION: GRANTED**, planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning to issue the final decision in relation to this planning permission after the expiration of the formal consultation period, anticipated to end on the 1<sup>st</sup> February 2018 and subject to minor amendments to the conditions (as set out in Appendix 1 of the officer report), and as amended by the Addendums.

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

**532. 2/10: Trinity House, 326 Station Road, Harrow - P/4635/17**

**PROPOSAL:** *Creation of third floor to accommodate 7 self-contained studio flats*

Following questions and comments from Members, an officer advised that the planning permission granted in December 2012 (P/2854/12) had not been progressed by the applicant.

**DECISION: GRANTED**

**RECOMMENDATION A**

Granted, planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement.

**RECOMMENDATION B**

That if, by 24th February 2018 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 unanimous.*

**533. 5/01: HARROW ON THE HILL UNDERGROUND STATION, STATION APPROACH, HARROW - P/5156/17**

**PROPOSAL:** *Prior Approval for works to create footbridge to provide a step free access including internal and external alterations.*

**DECISION: GRANTED**, Prior Approval, as amended by the Addendums.

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

**534. Applications to designate Harrow Hill Neighbourhood Area and Harrow Hill Neighbourhood Forum**

This report was withdrawn following a request from the applicants.

**535. Termination of Meeting**

In accordance with the provisions of Committee Procedure Rule 14.2 (Part 4B) of the Constitution:

**RESOLVED:** At 9.59 pm to continue until 10.10 pm.

**536. Member Site Visits**

**RESOLVED:** To note that a site visit be undertaken to 11 Sherington Avenue (P/5427/17).

(Note: The meeting, having commenced at 6.31 pm, closed at 10.10 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair