

# PLANNING COMMITTEE

## MINUTES

### 11 MARCH 2020

**Chair:** \* Councillor Keith Ferry

**Councillors:** \* Ghazanfar Ali \* Anjana Patel  
\* Stephen Greek \* Sachin Shah  
\* Ajay Maru (2) \* Norman Stevenson (1)

**In attendance:** Marilyn Ashton Minute 329  
**(Councillors)**

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

#### 320. Attendance by Reserve Members

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

Ordinary Member

Councillor Bharat Thakker  
Councillor Simon Brown

Reserve Member

Councillor Norman Stevenson  
Councillor Ajay Maru

#### 321. Right of Members to Speak

**RESOLVED:** That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not Members of the Committee, be allowed to speak on the agenda item indicated:

**322. Declarations of Interest**

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

**323. Minutes**

**RESOLVED:** That the minutes of the meeting held on 12 February 2020 be taken as read and signed as a correct record.

**324. Public Questions**

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

**325. Petitions**

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

**326. Deputations**

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

**327. Addendum**

**RESOLVED:** To accept the addendum.

**328. 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 2/01 and 2/03 on the list of planning applications.

[Note: Planning application 2/03 was subsequently deferred, and so the representations were not received.]

**RESOLVED ITEMS**

**329. 2/01 - Article 4 Direction Stanmore and Edgware**

**PROPOSAL** - to introduce non-immediate Article 4 Directions to cover properties within five of the six Stanmore and Edgware Conservation Areas. Proposed Article 4 Directions were first identified in 2013 in the drafting of the Stanmore and Edgware Conservation Areas Supplementary Planning Document (SPD) and were included as recommendations in this adopted document. A further survey in August 2019 confirmed and refined the recommendations. The Directions were proposed to require planning

permission for all specified works to several residential properties within the 5 Conservation areas. where it faced a highway, waterway or open space.

Councillor Marilyn Ashton addressed the Committee, outlining her reasons for seeking refusal of the proposed article 4 direction.

Following questions and comments from Members, the Interim Chief Planning Officer confirmed that:

- The cost incurred in consulting on the proposed Direction would be approximately £1 000, spent on postage and placing an advertisement in the press. The Direction would not include all residential properties within the Conservation Areas; the properties affected were clearly set out in the officer report;
- As the Interim Chief Planning Officer did not have delegated authority to undertake the statutory consultation process, the Committee was being asked to delegate authority to officers to undertake the necessary statutory processes, including consultation to serve the proposed Article 4 Directions afterwards. Furthermore, any representations received during the statutory consultation period would be reported back to the Committee, along with a recommendation as to whether or not to confirm the Direction.

The Committee resolved to approve the officers' recommendation.

### **RECOMMENDATION**

- Consider and agree to the officers' recommendation to introduce non-immediate Article 4 Direction of the Town and Country Planning (General Permitted Development) (England) Order 2015 to require planning permission for the works listed above under Schedule 2 of the GPDO. The proposed Article 4 Directions were to apply only to residential properties within the Conservation Area ("CA") where facing a highway, waterway or open space; and to
- Delegate authority to the Interim Chief Planning Officer to undertake the necessary statutory processes to serve the proposed Article 4 Directions, noting that any representations received during the statutory consultation period will be reported back to the Planning Committee along with a recommendation as to whether or not to confirm the Direction.

### **DECISION: GRANT**

*The Committee wished it to be recorded that the decision to agree the recommendation for officers to undertake statutory consultation to introduce a non-immediate Article 4 Direction was as follows:-*

*Councillors Ferry, Ali, Maru and Shah voted for the application.*

*Councillors Greek, Patel and Stevenson abstained from voting.*

**330. 2/02 - 39 Christchurch Gardens HA3 8NP**

A Member proposed to defer the application pending a site visit. The proposal was seconded, and voted on.

**DECISION: DEFER**

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

**331. 2/03 - 11 Adelaide Close & 5 Aylmer Close - P/5043/19**

The Interim Chief Planning Officer advised that further information about the application had been received on 10 March 2020. As a result, officers were recommending to the Committee that the item be deferred so that the additional information could be considered.

The Committee resolved to approve the officers' recommendation to defer.

**DECISION: DEFER**

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

**332. 2/04 - Harrow Bus Garage & 333 Pinner Road - P/4025/19**

**PROPOSAL** - change of use from car show room (Sui Generis) to Bus Vehicle Depot (Sui Generis) with parking for up to 30 buses; installation of portacabin; use of the existing building as ancillary office space; installation of 3m high fence to western boundary and acoustic attenuation (demolition of MOT building, welfare office and office building).

Following questions and comments from Members, the Interim Chief Planning Officer confirmed that:

- Queuing of staff vehicles and parking concerns had been addressed in the Section 106 agreement as well as in the addendum. These could be enforced if the situation warranted; and
- Staff had travel passes and could use public transport. However, those reporting for work early in the morning, or leaving work late at night could have the option of driving to work.

The Committee resolved to approve the officers' recommendations.

**RECOMMENDATION A**

Agree the reasons for approval as set out in this report, and grant planning permission subject to authority being delegated to the Interim Chief Planning Officer 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. The Section 106 Agreement Heads of Terms would cover the following matters:

Travel Plan - to be agreed:

- The submitted travel plan (or a revised Travel Plan if deemed necessary by the Council, and to be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- A travel plan bond of £10,000 will be required to secure the implementation of all measures specified in the revised Travel Plan. In addition a £5,000 monitoring fee was required to cover the cost of monitoring the travel plan. The developer should ensure the effective implementation, monitoring and management of the travel plan for the site.
- Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which would be met by the developer.

Legal fees - payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 10 June 2020, or such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring through a Travel Plan that directly relates to the development, would fail to adequately mitigate the traffic and parking impact of the development on the wider area arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.9 and 6.13 of The London Plan (2016), policy T3 of the Draft London Plan (2019); Core Strategy (2012) policy CS1, and policies DM42 and DM50 of the Harrow Development Management Policies Local Plan.

## **DECISION: GRANT**

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

**The audio recording of this meeting can be found at the following link:**

<https://www2.harrow.gov.uk/ieListDocuments.aspx?CId=1001&MId=64668>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.00 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair