

Planning Committee

Minutes

18 November 2020

Present:

Chair: Councillor Keith Ferry

Councillors: Marilyn Ashton Anjana Patel
Christopher Baxter Kiran Ramchandani
Simon Brown Sachin Shah

Apologies received: Ghazanfar Ali

441. Attendance by Reserve Members

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

Ordinary Member

Councillor Ghazanfar Ali

Reserve Member

Councillor Kiran Ramchandani

442. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1 of Part 4B of the Constitution, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Dan Anderson

Sarah Butterworth

Planning Application

1/01, John Lyon School, Middle Road
(P/1813/19)

2/01, 52 High Street, Harrow (P/2250/20)
and 2/02, 52 High Street, Harrow
(P/1444/20)

443. Declarations of Interest

RESOLVED: To note that the Declarations of Interests published in advance of the meeting on the Council's website were taken as read.

444. Minutes

RESOLVED: That, the minutes of the meeting held on 14 October 2020 be taken as read and signed as a correct record subject to the insertion of the following sentence:

"Councillors Marilyn Ashton and Anjana Patel expressed their concerns on co-living models' suitability for Harrow, that this could result in the development being converted into an HMO and whether they were genuinely affordable," in place of "Councillors Marilyn Ashton and Anjana Patel expressed their concerns on co-living models' suitability for Harrow, and whether they were genuinely affordable".

This was in relation to Application 1-02 North Side Car Park Greenhill Way (P/1257/20), Minute Number 438.

445. Public Questions

RESOLVED: To note that no public questions were received.

446. Petitions

RESOLVED: To note the receipt of a petition from residents in relation to Agenda Item 1/01, John Lyon School Middle Road (P/1813/19), which was read by the Chair and its comments noted in the discussion that ensued.

447. Deputations

RESOLVED: That there were no deputations notified.

448. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

449. Addendum

RESOLVED: To accept the Addendum and Supplemental Addendum.

450. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of Agenda Items 1/01, 1/03, 2/01 and 2/02 on the list of planning applications.

Resolved Items

451. 1/01 John Lyon School, Middle Road (P/1813/19)

PROPOSAL: redevelopment to provide four storey teaching block with basement; hard and soft landscaping; parking (demolition of existing building) (as amended by the Addendum).

The Committee received representations from Ashley Vickers (Objector) and James Govier (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee also received representations from Councillor Dan Anderson and Councillor Stephen Greek, who both urged the Committee to refuse the application.

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the proposal, by reason of excessive scale and inappropriate siting, would do harm to the local character of the area and would not preserve or enhance the character and appearance of the Conservation Area, contrary to policies DM1, DM6, DM7 and DM46 of the local plan, CS18, CS10 and CS3A of the Core Strategy and 7.4, 7.6 and 7.8 of the London Plan (2016) and D1, D2 and HC1 of the Draft London Plan (2019).

The motion was seconded by Councillor Anjana Patel, put to the vote, and agreed.

The Committee resolved to refuse officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) 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 modification of the Section 106 legal agreement (subject to planning application P/2504/19) 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 report) or the legal agreement.

RECOMMENDATION B

That, if by 30 January 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation modification was not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

- 1) The proposed development, in the absence of a modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23 June 1995 (principal agreement), the development would be constructed on land outside of the development envelope in breach of the Section 106 and the development could give impacts to the character, appearance and openness of the conservation area in terms of site coverage.

DECISION: REFUSE

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

Councillors Ashton, Baxter, Brown, Patel, Ramchandani and Shah voted against the application.

Councillor Ferry abstained from voting.

452. 1/02 16-28 Bonnersfield Lane, Harrow (P/0768/20)

PROPOSAL: redevelopment to provide a five storey building comprising of twenty two flats (Use class C3) and commercial unit to ground floor (Use class B1); six x three storey houses; landscaping; parking; bin and cycle stores; emergency vehicle access; associated works (demolition of existing buildings) (as amended by the Addendum).

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the planning conditions (set out in Appendix 1 of the report to the committee and as amended in the Addendum) and 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 legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission and subject to minor amendments to the planning 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:

Affordable Housing

- Early and late stage review of the development as per the Mayor's SPG.
- Transport and Highways
- Travel Plan:

- A revised travel plan shall 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 is required to cover the cost of monitoring the travel plan. The developer to 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 will be met by the developer.
- Resident Parking Permit Restrictions:
 - The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material makes reference to the fact that; and (ii) all lettings agreements contain a covenant to the effect that; future occupiers and tenants (other than those that are registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit.
 - Amendment to the relevant Traffic Management Order (contribution of £1500)
- Contribution to Road Works
 - Contribution of a £10,000 to improvements along Manor Parade as part of a planned cycle scheme, to support sustainable travel modes for the increased number of residential units on site and car-free proposal. The scheme intends to improve the cycling and walking facilities in the area including the crossing at Shepcote Road/Station Road. The improvements would assist with travel to and from the site as it will most likely involve crossing at this junction and will enable users to connect to further destinations.
- Employment and Training
 - The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan. The training and Employment plan will include:
 - employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
 - the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
 - the timings and arrangements for implementation of such initiatives and
 - suitable mechanisms for the monitoring of the effectiveness of such initiatives
 - A financial contribution towards the management and delivery of the construction training programme based on the construction

- value of the development. This is usually calculated using the formula: £2500 per £1m build cost.
 - The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- Sustainability
 - A provision of carbon reduction on-site and payment of any off-set if zero carbon reduction is not achieved on-site, as determined by the final carbon reduction achieved on site as per Condition 25 of this permission. Based on the submitted Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020], this is currently estimated at a financial contribution of $(19.62 \times £60 \times 30 \text{ years}) = £35,316$ towards carbon offsetting measures.
- Legal Costs, Administration and Monitoring
 - A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (equivalent to 5% of the overall financial contribution) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.
 - The Developer to be responsible for the Council's legal costs associated with the negotiation and preparation of the s.106 planning agreement and a further financial contribution to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms of the agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th November 2020, or as 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:

- 1) The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 3.11, 3.13, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), Core Strategy (2012) policy CS1, Harrow 7 Wealdstone Area Action Plan AAP10, AAP13, AAP19 and AAP20, and policies DM1, DM12, DM42, DM43 and DM 50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

453. 1/03 North London Collegiate School, Edgware P/2488/20)

PROPOSAL: hybrid (part full/part outline) application for the phased Masterplan to improve Education facilities (Use Class D1) including ancillary office space and sporting facilities; together with improvements to car and bus parking, internal road layout and landscaping and associated development.

Full planning application: Phase 1 comprising new education accommodation with ancillary office space up to two storeys in height (1727sqm Gross Internal Area of floorspace) (Use Class D1) incorporating the demolition of, alterations and adaptations to several existing buildings; installation of two tennis courts; alterations to internal car and bus parking, and road layout; and site wide improvements to landscaping and associated development.

Outline planning application for access: (All other matters reserved) Phases 2 and 3: Phase 2 comprises demolition and/or extension of existing buildings; construction of new education buildings up to three storeys in height; improvements to existing sports facilities; and associated alterations to internal car parking and road layout, and landscaping (3,420 sqm Gross Internal Area of floorspace). Phase 3 comprises demolition and construction of various education buildings ranging from two to four storeys in height; and associated alterations to internal car parking and road layout, and landscaping (2,025sqm Gross Internal Area of floorspace) (as amended by the Addendum).

The Committee received representations from Varsha Patel (Objector) and Gill Eaton (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

Councillor Marilyn Ashton proposed deferral.

The motion was seconded by Councillor Anjana Patel, put to the vote, and lost.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) the reasons for approval and the conditions as set out the report in appendix 1 as amended in the Addendum and subject to the comments from the GLA under stage 1 of the referral process and any additional conditions and section 106 obligations that may be required through this consultation; and
- 2) refer this application to the Mayor of London (the GLA) as a Stage 2 referral; and

- 3) subject to the Mayor of London (or delegated authorised officer) advising that he was content to allow the Council to determine the case itself and did not wish to direct refusal, or to issue a direction under Article 7 that he did not wish to direct refusal, or to issue a direction under Article 7 that he was to act as the local planning authority for the purposes of determining the application, delegate authority to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the continued negotiation and completion of the modification to 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 modification to the Section 106 Agreement Heads of Terms would cover the following matters:

A deed of variation to Legal Agreement attached to planning permission P/0654/12 (Varied from EAST/446/94/FUL), dated 16th August 2012 to address the following matters:

- a) Community Use agreement to be agreed and implemented for each phase of the development
- b) the existing red line restrictive building envelope to be removed
- c) replaced with the revised proposed parameter plans
- d) All future development on the site must be undertaken in accordance with the approved parameters plans. The outline development hereby approved shall be begun no later than 2 years from the approval of the last Reserved Matter. The outline element must be completed within 5 years from the approval of the final reserved matters application.
- e) A financial contribution (to be agreed) towards off site carbon reductions
- f) Legal Costs, Administration and Monitoring: A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

Councillors Ashton, Baxter and Patel abstained from voting on the basis that there was a link between the expansion of the facilities and the increase by 150 of the pupil numbers, thereby worsening the already difficult traffic problems both in Dalkeith Grove and Canons Drive.

DECISION: GRANT

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

Councillors Brown, Ferry, Ramchandani and Shah voted for the application.

Councillors Ashton, Baxter and Patel abstained from voting.

454. 2/01 52 High Street, Harrow (P/2250/20)

PROPOSAL: installation of five air conditioning units.

The Committee received representations from Councillor Sarah Butterworth and Ian Coward (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out the report; and
- 2) grant Listed Building Consent subject to the Conditions listed in Appendix 1 of this report.

DECISION: GRANT

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

455. 2/02 52 High Street, Harrow (P/1444/20)

PROPOSAL: installation of five air conditioning units to the rear within enclosure.

The Committee received representations from Councillor Sarah Butterworth and Ian Coward (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee resolved to approve the officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

456. 2/03 Stanmore House, 15- 19 Church Road (P/2503/20)

PROPOSAL: change of use of first and second floor offices to eight flats (2 x 2 Bed and 6 x 1 bed); and bin store (as amended by the Addendum).

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) grant planning permission subject to the planning conditions set out in Appendix 1 and the Addendum authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the legal agreement under section 106 of the Town and Country Planning Act 1990 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 report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

Heads of Terms for the Legal Agreement

- a. Restriction of parking permits for future occupiers;
- b. £1500 to amend the relevant traffic order;
- c. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- d. Monitoring Officer's fees.

RECOMMENDATION B

That, if by 18 February 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation was not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission for the following reason:

- 1) the proposed development, in the absence of a legal agreement to provide appropriate mitigation measures to ensure the development would not exacerbate on street parking as a result of the proposed development, would fail to comply with the requirements of policy 6.9 of The London Plan 2016, Policy T6 of the Draft London Plan Intend to Publish Version (2019), Policy DM42 and DM50 of the Harrow Development Management Policies Local Plan (2013), and policy CS1.R of the Harrow Core Strategy 2012.

DECISION: GRANT

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

457. 2/04 2A Towers Road (P/2063/20)

PROPOSAL: redevelopment to provide one pair of two storey semi-detached dwellings with habitable roofspaces (2 x 5 Bed); parking; bin and cycle stores; and separate amenity space (demolition of existing dwelling) (as amended by the Addendum).

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the development would be out of character in a road of detached single dwelling houses, would result in an increase of the footprint of the original dwelling house and would be detrimental to the residential amenities and character within the road, contrary to policies CS1 of the core Strategy, 7.4 London Plan (2016), D1 of the draft London Plan (2019) and to the Harrow's Residential Design Guide SPD in relation to garden development.

The motion was seconded by Councillor Anjana Patel, put to the vote, and lost.

The Committee resolved to approve officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in this report; and
- 2) grant planning permission subject to the conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

Councillors Brown, Ferry, Ramchandani and Shah voted for the application.

Councillors Ashton, Baxter and Patel voted against.

458. 2/05 Shepherd Churchill Dining Hall (P/1974/20)

PROPOSAL: second floor front extension; two storey side extension comprising of lift shaft and staircase; first floor rear extension; creation of mezzanine floor; first floor terrace; replacement roof; hard and soft landscaping; additional parking.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 as amended by the Addendum of this report.

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://www.harrow.gov.uk/virtualmeeting>.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.46 pm).

(Signed) Councillor Keith Ferry
Chair