

Planning Committee

Minutes

17 March 2021

Present:

Chair: Councillor Ghazanfar Ali

Councillors: Marilyn Ashton
Christopher Baxter
Simon Brown
Ajay Maru
Anjana Patel
Natasha Proctor

In attendance (Councillors): Richard Almond
Kairul Kareema Marikar
Paul Osborn
Adam Swersky
For Minute 532
For Minute 519
For Minute 519
For Minute 519

Apologies received: Keith Ferry
Peymana Assad

508. Appointment of Chair and Vice-Chair

RESOLVED: That, in accordance with Committee Procedure Rule 7.1, Councillor Ghazanfar Ali was appointed Chair and Councillor Simon Brown was appointed as Vice-Chair of the Committee for the remainder of the 2020/2021 Municipal Year.

509. Attendance by Reserve Members

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

Ordinary Member

Councillor Keith Ferry
Councillor Peymana Assad

Reserve Member

Councillor Ajay Maru
Councillor Natasha Proctor

510. 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 items indicated:

<u>Councillor</u>	<u>Planning Application</u>
Kairul Kareema Marikar	Agenda Item 1/01, Vaughan Road Car Park P/3497/20
Adam Swersky	Agenda Item 1/01, Vaughan Road Car Park P/3497/20
Christine Robson	Agenda Item 1/01, Vaughan Road Car Park P/3497/20
Richard Almond	Agenda Item 2/03, 64 Durley Avenue P/2534/20

511. 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, and that the following interest was also declared:

Agenda Item 1/01 Vaughan Road Car Park P/3497/20

Councillor Paul Osborn, who was not a Member of the Committee, declared a pecuniary interest in that he lived next to the proposed development. He left the meeting whilst the matter was considered and voted upon.

512. Minutes

RESOLVED: That the minutes of the meeting held on 17 February 2021 be taken as read and signed as a correct record.

513. Public Questions

RESOLVED: To note that one public question was received (with a supplemental question), and responded to.

(The video recording of this meeting can be found at the following link: <http://www.harrow.gov.uk/virtualmeeting>).

514. Petitions

RESOLVED: To note the receipt of a petition from Mike Williams on behalf of the residents of West Harrow relating to Agenda Item 1/01, Planning Application P/3497/20, Vaughan Road Car Park, and its comments noted in the discussion that ensued.

515. Deputations

RESOLVED: To note that no deputations were received.

516. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

517. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendum.

Resolved Items

518. 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, 1/02, 2/01, 2/02 and 2/03 on the list of Planning applications, and that in accordance with the provisions of Committee Procedure Rule 29.5 (Part 4B of the Constitution), an additional speaker (objector) be allowed on Agenda Item 1/02.

[Note: Planning applications 2/01 and 2/02 were subsequently deferred, and so the representations were not received].

519. 1/01 Vaughan Road Car Park P/3497/20

PROPOSAL: redevelopment to provide a part five/part twelve storey building comprising of 129 room aparthotel; commercial floorspace to ground floor (Use class E); restaurant to fifth floor (Use class E); hard and soft landscaping; proposed vehicle access; public realm and highways improvements (as amended by the Addendum and Supplemental Addendum).

The Committee received representations from Councillor Kairul Kareema Marikar, Councillor Adam Swersky and Councillor Christine Robson, who all urged the Committee to accept the officer recommendations and refuse the application.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for refusal as set out in the report; and
- 2) refuse planning permission.

DECISION: REFUSE

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

[Councillor Paul Osborn, who was not a member of the Committee, left the meeting for the discussion and decision making on this item].

520. 1/02 Halfords P/3305/20

PROPOSAL: demolition of existing buildings and erection of two linked buildings comprising residential units (Use Class C3) together with plant car parking cycle parking refuse stores hard and soft landscaping, and associated works details - height ranging from 5 to 9 storeys (as amended by the Addendum).

The Committee received representations from Luisa Keig (Objector), James Smith (Objector), and Nick Cuff (Agent for Applicant). Both Objectors outlined reasons for seeking refusal of the application, whilst the Agent for the Applicant urged the Committee to grant the application.

The Committee resolved to accept 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 completion of the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:

Affordable Housing and Wheelchair Homes

A planning obligation was recommended to secure 100% affordable housing (149 x 1b1p units) with the tenure (Discount Market Sale) as submitted:

- cascade mechanism to ensure each unit shall be marketed for first sale exclusively to Harrow residents for no less than 3 months and an income cap for eligible purchasers; and
- provision of 10% wheelchair homes.

Transport and Highways

- Parking Permit Restrictions - the development to be 'resident permit restricted' in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that: (i) all marketing/advertising material made reference to the fact; and (ii) all lettings agreements contained a covenant to the effect that future occupiers and tenants (other than those that were registered disabled) would not be entitled to apply for a residents parking permit or a visitor parking permit. A contribution in accordance with the adopted fees and charges was required to amend the Traffic Management Order; and
- Loading/Refuse Bay on Sheepcote Road – s278.

Travel Plan

- Travel Plan Deposit/ Bond (to be agreed with developer) would be required to secure the implementation of all measures specified in the Travel Plans;
- Travel Plan Monitoring Fee - to cover a 5 year period, per Travel Plan (fee to be in accordance with the adopted fees and charges);
- Travel Plan Survey (to be updated) – 75% occupied or in sixth month after occupation, whichever was soonest;
- submit survey results annually with full review and update in years 3 and 5;
- Travel Plan Co-ordinator to be in place 2 months prior to occupation; and
- 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.

Carbon Offset

- a financial contribution prior to commencement of the development for the shortfall in on-site carbon reductions required to achieve net zero carbon in line with the GLA rates. The Rate is £95/tonne of carbon over 30 years (i.e. £2,850 / tonne). This would be payable upon commencement and an additional payment due upon completion if the on-site contributions exceeded those calculated at planning application stage; and
- provision of a safeguarding route to a connection to a wider district heat network.

Employment and Training

- the developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan/ Local Labour Employment Strategy. The developer to implement the agreed Plan. The training and Employment plan would 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. The Plan may include details of any existing training initiatives agreed with Harrow.
- the developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
 - (To Be Agreed with Applicant) - a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This was calculated using the formula: £2,500 per £1,000,000 build cost. A financial contribution to be paid by the developer to fund local employment and training programmes and the submission of a Training and Recruitment Plan; and
 - the developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

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 contribution (to be agreed) to be paid upon completion of the section 106 to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

RECOMMENDATION B

That if the Section 106 Agreement was not completed by 17 June 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, then it was recommended to delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission on the grounds that: 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 D4, H4, S4, SI2, T4, T6, T6.1 and DF1 of The London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM43, DM50, of the Harrow Development Management Policies Local Plan (2013) and the (2013) and the Supplementary Planning Document: Planning Obligations (2013).

DECISION: GRANT

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

521. 2/01 Northcote P/2567/20

PROPOSAL: redevelopment to provide a two-storey building with accommodation in the roofspace comprising of nine flats (8 x 1 bed and 1 x 2 bed); front boundary wall; new access from Rickmansworth Road; parking; amenity space; refuse and cycle storage (as amended by the Addendum).

The Chief Planning Officer recommended deferral of the item, to permit the re-consultation of neighbours regarding the amendments to the refuse storage/parking to conclude on the 18 March 2021, and for all responses to be reported back to the Committee at the meeting in April 2021.

The Committee resolved to accept the Chief Planning Officer's recommendation.

DECISION: DEFER

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

522. 2/02 Northcote P/2785/20

PROPOSAL: creation of third floor comprising of eight flats (8 x 2 bed); parking; bin and cycle stores (as amended by the Addendum).

The Chief Planning Officer recommended deferral of the item, to permit the re-consultation of neighbours regarding the amendments to the refuse storage/parking to conclude on the 18 March 2021, and for all responses to be reported back to the Committee at the meeting in April 2021.

The Committee resolved to accept the Chief Planning Officer's recommendation.

DECISION: DEFER

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

523. 2/03 64 Durley Avenue P/2534/20

PROPOSAL: conversion of dwelling into two flats (1 x 1 bed and 1 x 2 bed); front porch; alterations to roof to form end gable, rear dormer an insertion of three rooflights in front roofslope; single storey rear extension; separate amenity space; refuse storage (as amended by the Addendum and Supplemental Addendum).

The Committee received representation from Councillor Richard Almond, who outlined reasons for seeking refusal of the application.

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) The proposal represented an over intensive use of the site, resulting in a loss of residential amenity to the neighbouring properties by reason of the activity generated by the inappropriate subdivision of this single-family dwelling house into flatted development, contrary to policy CS1 Harrow Core Strategy (2012), D1 London Plan (2021), DM1 Development Management Policies (2013).

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

The Committee resolved to accept the officer recommendation.

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 set out 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 Ali, Brown, Maru and Proctor voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

524. 2/04 Chalgrove P/2888/20

PROPOSAL: outbuilding at rear for use as gym/study/storage; external steps and piers at rear: installation and replacement of approximately 1.60m pedestrian gate to front boundary (retrospective).

The Committee resolved to accept the officer recommendation.

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.

525. 2/05 Roger Bannister P/2981/20

PROPOSAL: details pursuant to condition 5 (disposal of surface water) attached to Planning Permission P/3823/19, dated 07 March 2020 for conversion of civil defence building (Use Class B8) to cafe (Use Class A3); single storey storage unit; external alterations (as amended by the Addendum and Supplemental Addendum).

Councillor Marilyn Ashton proposed deferral of the application. The motion was seconded by Councillor Anjana Patel, put to the vote, and lost.

The Committee resolved to accept officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) approve the details.

DECISION: GRANT

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

Councillors Ali, Brown, Maru and Proctor voted to grant the application.

Councillors Ashton, Baxter and Patel abstained from voting on the application.

526. 2/06 Station House P/4670/20

PROPOSAL: change of use of first, second and third floors from offices (Use Class E) to 9 residential units (Use Class C3); external alterations; bin and cycle stores; new vehicle access from Palmerston Road.

The Committee resolved to accept 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 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, subject to amendments to the conditions, including the insertion or deletion of condition as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:

Transport and Highways

- the development to be 'resident permit restricted' in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that: (i) all marketing/advertising material makes reference to the fact that; and (ii) all sales and lettings agreements contained a covenant to the effect that; future owners, occupiers and tenants (other than those that were registered disabled) would not be entitled to apply for a residents parking permit or a visitor parking permit; and
- a financial contribution for amending the relevant traffic management order in accordance with the adopted fees and charges schedule.

Legal costs, administration and monitoring

- Legal fees and administration/monitoring: payment of Harrow Council's reasonable costs in the preparation of the Legal agreement and administration costs/monitoring costs in accordance with the adopted fees and charges schedule.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31 May 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 Divisional Director of Planning to REFUSE planning permission for the appropriate reason - 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 transport mitigation arising directly from the development, contrary to the National Planning Policy Framework (2019), Policies T6.1 and DF1 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and Policies DM42 and DM50, of the Harrow Development Management Policies Local Plan (2013) and the Harrow Planning Obligations SPD (2013).

DECISION: GRANT

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

527. 2/07 77 Salisbury Road P/3934/20

PROPOSAL: conversion of ground floor into flat (1 x 2 bed) and first floor into House of Multiple Occupancy (HMO) for up to 4 persons; bin and cycle stores; (demolition of side extension).

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) The development, by reason of the proposed number of occupiers in cramped surroundings, would be detrimental to the future occupiers and residential amenity within the locality, contrary to CS1 Harrow Core Strategy (2012), DM1 Development Management policy, D1 London Plan (2021).

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

The Committee resolved to accept officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reason for approval as set out in the report;
- 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 Ali, Brown, Maru and Proctor voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

528. 2/08 Burnt Oak Broadway P/3884/20

PROPOSAL: change of use of ground floor from Pawnbrokers (Class E) to Adult Gaming Centre (Sui Generis) (as amended by the Addendum and Supplemental Addendum).

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) The proposed use of the premises would not provide a balanced and positive contribution towards the vitality of the District Centre and would be detrimental to the residential amenity of the occupiers within the vicinity owing to the proposed hours of use, resulting in noise and disturbance and potentially anti-social behaviour that would be generated from such an outlet, contrary to policy DM1, DM36 Development Management Policy, CS1 Harrow Core Strategy (2012), SD7 and D11 London Plan (2021).

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

The Committee resolved to accept the officer recommendation, subject to the submission of a management plan to be brought to Committee at a later date.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reason 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, subject to the submission of a management plan to be brought to Committee at a later date, was by a majority of votes.

Councillors Ali, Brown, Maru and Proctor voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

529. 2/09 69 Marlborough Hill P/0173/21

PROPOSAL: conversion of dwelling (Use Class C3) to House of Multiple Occupancy (HMO) for up to 9 people (Use class sui generis); single storey rear extension (retrospective); external alterations (as amended by the Addendum and Supplemental Addendum).

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) The development, by reason of the excessive number of occupiers, represents an overly intensive use of the site to the detriment of the future occupiers and residential amenity within the locality, contrary to CS1 Harrow Core Strategy (2012), DM1, DM30 Development Management Policy, D1 London Plan (2021).

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

The Committee resolved to accept officer recommendation.

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 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 Ali, Brown, Maru and Proctor voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

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 6.00 pm, closed at 9.22 pm).

(Signed) Councillor Ghazanfar Ali
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Chair