

Planning Committee

Minutes

1 September 2021

Present:

Chair: Councillor Pamela
Fitzpatrick

Councillors: Marilyn Ashton
Christopher Baxter
Simon Brown
Maxine Henson
Nitin Parekh
Anjana Patel

**In attendance
(Councillors):** Philip Benjamin
For Minute 371

361. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

362. Right of Members to Speak

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

Councillor

Philip Benjamin

Planning Application

1/01 Stanmore and Edgware Golf Centre,
HA7 4LR (P/3088/20)

(However, the item was deferred, and Councillor Benjamin did not address the Committee on the substantive application. He expressed his concern that the item had been deferred, which set an unfortunate precedent.)

363. 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 in addition the following statement was made:

Agenda Item 1/01 Stanmore and Edgware Golf Centre, Stanmore, HA7 4LR P/3088/20

Councillor Nitin Parekh stated: "I do not have any interests to declare but for avoidance of any doubts, and to be on the safe side, I will leave the Chamber during item 1/01."

(Councillor Nitin Parekh left the meeting whilst the Item was being considered and voted on.)

364. Minutes

RESOLVED: That the minutes of the meeting held on 28 July 2021 be taken as read, and signed as a correct record.

365. Public Questions

RESOLVED: To note that no public questions were put.

366. Petitions

RESOLVED: To note that no petitions were received.

367. Deputations

RESOLVED: To note that no deputations were received.

368. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

369. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendums.

Resolved Items

370. 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 item 2/03 and 2/05 on the list of planning applications.

371. 1/01, Stanmore and Edgware Golf Club, P/3088/20

PROPOSAL: demolition of former golf club buildings and construction of a single and two-storey building for a banqueting facility; widening of existing

vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works.

Councillor Marilyn Ashton proposed that the application be determined and not deferred.

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

The Committee resolved to accept officer Recommendation 1 (below) to defer the application.

Councillor Philip Benjamin expressed his concern that the item had been deferred, which set an unfortunate precedent.

RECOMMENDATION

The Planning Committee was asked to:

1. allow an extension of time to the end of September 2021 for the receipt of new information in relation to the decision to defer the application at Planning Committee on 30 June 2021, in order for the application to be heard at the 17 November 2021 Planning Committee meeting.

DECISION: DEFER

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

Councillors Brown, Fitzpatrick and Henson voted to defer the application.

Councillor Ashton, Baxter and Patel voted against deferring the application.

Councillor Fitzpatrick, as Chair, cast the final vote, and the application was deferred.

372. 2/01, 342-345 Station Road, Harrow, P/1111/21

PROPOSAL: outline application for access, appearance, layout and scale for the erection of a two storey extension above the existing two storey mid-terrace building to provide nine flats (two x three bedroom flats and seven x one bedroom flats), alongside an integrated bin store and bicycle store at ground floor level, and 48 Solar PV panels at roof level. The application was a resubmission of approved outline application P/4755/17 (dated 14 June 2018) with the only change being the provision of a dedicated disabled parking bay within a rear private forecourt.

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 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:
 - i. 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 1) all marketing/advertising material makes reference to this fact; and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit;
 - ii. a contribution in accordance with the adopted fees and charges was required to amend the Traffic Management Order and a monitoring fee; and
 - iii. Legal Fees - Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the Legal Agreement is not completed by 31/01/2022, 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 Divisional Director of Regeneration, Enterprise and Planning on the grounds that: the proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits and implementation of the Travel Plan, would fail to comply with the requirements of policies T4 and T6.1 of The London Plan (2021), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013), and Policies DM42 and DM43 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

DECISION: GRANT

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

373. 2/02, 19 North Way, Pinner, P/0665/21

PROPOSAL: re-development to provide a two-storey dwelling with habitable roof space; parking; landscaping; demolition of pre-existing house (retrospective).

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 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, Fitzpatrick and Parekh voted to grant the application.

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

374. 2/03, Lower Flat, 82 Cunningham Park, P/1403/21

PROPOSAL: single storey rear extension to ground floor flat to create an additional bedroom (1 x 2 beds); external alterations (demolition of side to rear extension).

The Committee received representation from Sarah Greene (objector), and John McAteer (applicant), who urged the Committee to refuse and approve the application, respectively.

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the proposed single storey rear extension, by reason of its depth and scale and close proximity to the neighbouring boundary, would result in a visually intrusive and overbearing form of development that would cause harm to the outlook of No. 80 Cunningham Park and would detract from the enjoyment of their rear amenity spaces, contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D1 London Plan (2021), Policy CS1 (B) of Harrow Core Strategy (2012), policy DM1 of Harrow Development Management Policies local plan (2013) and adopted Supplementary Planning Document Residential Design Guide (2010).

The proposal was seconded by Councillor Christopher Baxter, put to the vote and lost.

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 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 majority of votes.

Councillors Brown, Fitzpatrick, Henson and Parekh voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.#

375. 2/04, Baldwin House, 2 Gayton Road, Harrow, P/0634/21

PROPOSAL: creation of fifth floor comprising of four flats (2 x 1 bed and 2 x 2 bed); bin and cycle stores.

Councillor Marilyn Ashton proposed refusal based on design in that it would be incongruous, visually intrusive and out of keeping with the existing building.

The proposal was seconded by Councillor Christopher Baxter. This was put to the voted and agreed.

The Committee resolved to delegate to the Chief Planning Officer to finalise the reasons for refusal, in consultation with the Chair and Opposition Spokesperson.

The following was the reason for refusal:

- 1) The proposal, by reason of inappropriate design would result in an incongruous and obtrusive form of development which would appear at odds with the subject building. As such the proposal would fail to meet with the high quality design aspirations of the National Planning Policy Framework (2021), and would conflict with Policies D3 D (11) of the London Plan (2021), Policy CS1.B of the Core Strategy (2012) and Policy DM1 of the Development Management Policies Local Plan (2013).

The Committee resolved to refuse 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 authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a 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 Legal Agreement Heads of Terms would cover the following matters:

- i. 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 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order; and
- ii. Legal Fees - payment of Harrow Council’s reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the Legal Agreement was not completed by 30 September 2021, 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 was 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 provision for restriction of resident parking permits would fail to comply with the requirements of policy T6 of The London Plan (2021), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow and Wealdstone Area Action Plan (2013), and Policies DM42 and DM43 of the Harrow Development Management Policies Local Plan 2013 and would, therefore, be unacceptable.

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, Fitzpatrick and Patel voted to refuse the application.

Councillor Brown voted to grant the application.

Councillors Henson and Parekh abstained from voting on the application.

376. 2/05, 79 Sefton Avenue, Harrow, P/0475/21

PROPOSAL: conversion of dwelling into two flats (1 x 2 bed and 1 x 1 bed); single and two storey rear extension; landscaping; separate amenity space; bin and cycle stores.

The Committee received representation from Yash Thakar (objector), and Lalji Vekaria (applicant), who urged the Committee to refuse and approve the application, respectively.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The 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 Brown, Fitzpatrick and Parekh voted to grant the application.

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

377. Request to Review Article 4 (1) Directions - Four of Harrow's Conservation Areas

Members received the Report on the Request to Review Representations received and confirm the Article 4 (1) directions for the demolition of front boundary treatments within four of Harrow's Conservation Areas.

An Article 4 Direction was a direction under article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("GPDO") which enabled the Council to withdraw specified permitted development rights across a defined area. The effect of this was to require planning permission for the specified works where normally such works would not require planning permission.

On 30 May 2018 the Planning Committee agreed the officer's recommendation to introduce an Article 4 direction for 14 conservation areas, subject to representations received during the statutory consultation period being reported back to Planning Committee, along with a recommendation as to whether or not to confirm them (as the directions lapse after six months if not confirmed). An Article 4 direction was made for each conservation area. The Article 4 directions required planning permission for the demolition of all or any part of any gate, fence, wall or other means of enclosure (by restricting Part 11 Class C of Schedule 2 to the GPDO) where there was already an Article 4 direction in place requiring planning permission for the alteration of a boundary treatment.

From December 2020 to May 2021, the Article 4 directions had been introduced as agreed, subject to the required consultation period. The report covered the Article 4 Directions covering the Harrow on the Hill group of Conservation Areas, where the statutory consultation period had been completed and the directions needed to be confirmed before they lapsed from 1 October 2021. The remaining conservation area Article 4 directions were confirmed at the May 2021 Planning Committee before these lapsed.

No representations were received in relation to these Article 4 directions. The report, therefore, proposed to confirm the Article 4 Directions that were introduced for 4 conservation areas. The geographic extent of the directions reflected those of the existing Article 4 directions where rights had been withdrawn for the alteration of a gate, fence, wall or other means of enclosure.

RESOLVED: That the following recommendations be accepted:

- a) agree to officers' recommendation to confirm the Article 4(1) directions made under the Town and Country Planning (General Permitted Development) (England) Order 2015 as shown in the Appendix to require planning permission for the demolition of all or any part of any gate, fence, wall or other means of enclosure in existing conservation areas (Part 11, Class C of Schedule 2 to the GPDO), where an existing Article 4 direction exists in relation to the construction or alteration of a boundary treatment. The new additional Article 4 directions apply only where facing a highway, waterway or open space where this is the case already for the existing Article 4 direction, and otherwise for the entire boundary treatment, in accordance with the existing Article 4 direction; and
- b) delegate authority to the Chief Planning Officer to undertake the necessary statutory processes required to confirm the directions.

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 7.50 pm).

(Signed) Councillor Pamela Fitzpatrick
Chair