

# Planning Committee

## Minutes

### 16 March 2022

**Present:**

**Chair:** Councillor Nitin Parekh

**Councillors:** Marilyn Ashton  
Christopher Baxter  
Simon Brown  
Ajay Maru  
Rekha Shah  
Bharat Thakker

**In attendance (Councillors):** Kairul Kareema Marikar  
Janet Mote  
For Minute 483  
For Minute 485

**Apologies received:** Maxine Henson  
Anjana Patel

**471. Attendance by Reserve Members**

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

Ordinary Member

Councillor Maxine Henson

Councillor Anjana Patel

Reserve Member

Councillor Ajay Maru

Councillor Bharat Thakker

**472. 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:

Councillor

Planning Application/Committee Report

Kairul Kareema Marikar

26 Butler Avenue, Harrow, HA1 4EH  
(P/4933/21)

Janet Mote

Tree Protection Order (TPO) No.965, The  
Ridgeway (No.2), West Harrow –  
Confirmation of Provisional TPO.

(The Committee passed a motion to disregard committee procedure rule to allow Councillor Jane Mote to speak on the Tree Protection Order, as it was not a planning application.)

**473. 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.

**474. Minutes**

**RESOLVED:** That the minutes of the meeting held on 16 March 2022 be taken as read and signed as a correct record.

**475. Public Questions**

**RESOLVED:** To note that no public questions were put.

**476. Petitions**

**RESOLVED:** To note that no petitions were received.

**477. Deputations**

**RESOLVED:** To note that no deputations were received.

**478. References from Council and other Committees/Panels**

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

**479. Addendum**

**RESOLVED:** To accept the Addendum, and Supplemental Addendum.

**480. 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 on the list of planning applications.

(The Committee voted to suspend the Committee rules pursuant to Rule 25.1.1 of the Constitution to allow the objector to speak at short notice.)

## Resolved Items

### 481. 2/01, 190-194 Northolt Road, P/2515/21

**PROPOSAL:** creation of two additional storeys comprising 16 x shared accommodation units with associated communal areas. Two storey rear extension at ground and lower ground level. Alterations to front and rear facades and creation of new entrances to ground and lower ground co-working space. Change of use from former bank (Use Class E (c) (i)) to Co-Working Office Space (Use Class E (c) (iii)); and cycle and bin stores at ground and lower ground level and creation of 4 disabled bays and landscaping at the rear, and other external alterations (as amended by the Addendum).

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 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 this 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 is 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 Section 106 Agreement is not completed by 30th April 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, 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 that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies 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 by majority of votes.

Councillors Brown, Maru, Parekh and Shah voted to grant the application.

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

#### **482. 2/02, 198-200 Northolt Road, P/2431/21**

**PROPOSAL:** additions and alterations including an additional storey, four storey rear extension, enlargement of ground floor commercial space and change of use of upper floor levels from office (Use Class E (g) (i)) to shared living accommodation (20 units) (Sui Generis Use Class) and associated communal kitchen/living spaces; and bin, cycle storage and disabled parking space at rear (as amended by the Addendum).

The Committee resolved to accept officer recommendation.

### **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 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:
  - 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 is 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 Section 106 Agreement is not completed by 30 April 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, 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 that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies 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 by majority of votes.

Councillors Brown, Maru, Parekh and Shah voted to grant the application.

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

### **483. 2/03, 26 Butler Avenue, P/4933/21**

**PROPOSAL:** conversion of dwelling into three flats (2 x 1 bed and 1 x 3 bed), single storey rear extension.

The Committee voted to suspend the Committee rules pursuant to Rule 25.1.1 of the Constitution to allow the objector to speak at short notice. The motion was proposed by Councillor Marilyn Ashton and seconded by Councillor Christopher Baxter. The motion was carried unanimously.

The Committee received representation from Mike Williams (objector), and David Kemp (agent for applicant), who urged the Committee to refuse and approve the application, respectively.

The Committee also heard from Councillor Kairul Kareema Marikar who urged Members to refuse the application.

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) the development represents an over-intensive use of the site, resulting in the small forecourt appearing as cluttered with the number of required bins, which could limit and potentially impede the access to the front door, which is the only means of entering this terraced property and will do harm to the character, appearance, and visual amenity of the property and the street scene, contrary to policy CS1.B Core Strategy (2012), DM1 and DM26 of Harrow Development Management Policies (2013), D1 London Plan (2021), Council's SPD Residential Design Guide (2010).

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

The Committee resolved to refuse officer recommendation.

### **RECOMMENDATION**

The Planning Committee was asked to:

- 1) to 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: REFUSE**

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

Councillors Ashton, Baxter, Brown, Maru, Shah and Thakker voted to refuse the application.

Councillor Parekh abstained from voting on the application.

#### **484. 3/01, Mallory, Priory Drive, P/5003/21**

**PROPOSAL:** variation of condition 2 (approved plans) attached to planning permission P/5568/15, dated 26 January 2016 to allow alterations to basement, single storey extensions to the kitchen and living room, first floor side extension, roof modifications.

Councillor Marilyn Ashton proposed to defer the consideration of the application pursuant to Rule 29.8 of the Constitution on the basis that the Committee "be minded to grant" the application for the following reason:

- 1) it does not do harm to the character of the area, because this is a large house on a very large plot in a road of large houses on massive plots and therefore this proposal is in keeping within the locality.

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

The Committee agreed to accept officer recommendation.

### **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 by majority of votes.

Councillors Brown, Maru, Parekh and Shah voted to refuse the application.

Councillors Ashton, Baxter and Thakker voted against officer's recommendation to refuse.

#### **485. Tree Preservation Order - No. 965 The Ridgeway (No.2) West Harrow**

The Committee received a report, with appendices, on the Tree Protection Order (TPO) Number 965 The Ridgeway (Number 2) West Harrow.

The Committee voted to suspend the Committee procedure rules pursuant to Rule 25.1.1 of the Constitution to allow Councillor representation on the report. The motion was proposed by Councillor Marilyn Ashton and seconded by Councillor Christopher Baxter. The motion was carried unanimously.

Councillor Janet Mote addressed the Committee, and urged them to confirm the TPO.

The Council made provisional Tree Preservation Order (TPO) No. 965 on 1 November 2021. The TPO protects trees within the site known as The Brethren Meeting Hall, as indicated in Appendix A. Before confirming the order, the Council must consider any objections and representations duly made in respect of the order. An objection had been made against the TPO. Therefore, the matter was being reported to the Planning Committee. The report considered the objection received and seeks authority to confirm the order with modifications (as set out in Appendix B).

### **RECOMMENDATION**

The Planning Committee was asked to confirm TPO No.965 The Ridgeway (No.2) West Harrow with modifications as set out in Appendix B of the report.

## **REASON**

The trees are considered to be threatened by development and their loss would have a detrimental impact on the visual amenity and wider landscape. It was therefore considered expedient to serve a TPO and was considered appropriate to confirm the provisional TPO. If this TPO was not confirmed within six months of 1 November 2021, the statutory protection afforded to the aforementioned trees would lapse.

**RESOLVED:** The Committee confirmed Tree Protection Order No. 965 The Ridgeway (No.2) West Harrow, with modifications as set out in Appendix B of the Report.

**The video/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 8.20 pm).

(Signed) Councillor Nitin Parekh  
Chair