

Planning Committee

Minutes

24 July 2024

Present:

Chair: Councillor Marilyn Ashton

Councillors: Peymana Assad Nitin Parekh
Christopher Baxter Samir Sumaria
Simon Brown Zak Wagman

In attendance (Councillors): Councillor Jerry Miles For Minute 358

Apologies received: Councillor Ghazanfar Ali

351. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Simon Brown

352. 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

Jerry Miles

Planning Application

1/01 143/145 Eastcote Lane and 172
Alexandra Avenue – PL/010923

353. Declarations of Interest

RESOLVED: To note that there were none.

354. Minutes

RESOLVED: That the minutes of the meeting held on 22 May 2024 be taken as read and signed as a correct record, subject to noting that Councillor Simon Brown had been in attendance as a reserve member.

355. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions were put, or petitions or deputations received.

356. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

357. Addendum

RESOLVED: To accept the Addendums.

Resolved Items

358. 1/01 143/145 Eastcote Lane and 172 Alexandra Avenue - PL/0109/23

PROPOSAL:

Demolition of existing buildings and redevelopment to provide,

1 detached building comprising self-contained flats (use class C3), parking; landscaping; bin and cycle stores (amended plans)

Details: Height 3 storeys, with sixteen (16) self-contained flats (3 x 3 bed; 8 x 2 bed and 5 x 1 bed)

RECOMMENDATION A:

The Committee was asked to:

- 1) To 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 the Section 106 legal

agreement and other enabling legislation and issue of the planning permission and 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:

- a) Early and Late-Stage Review Mechanism.
- b) Construction Employment Opportunities through (a) a training and employment plan that will be agreed between the Council and the developer prior to start on site; and (b) (ii) 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: £2,500 per £1,000,000 build cost.
- c) Highways agreement for the undertaking of alterations to the existing vehicle crossings, with details of the proposals to be submitted prior to commencement of work on-site.
- d) A Carbon-offset contribution of £5,079 shall be paid to the relevant department of the Council within one month of approval of the Energy Strategy to offset 53 tonnes of carbon at a rate of 95 / tonne / year over 30 years).
- e) Requirement for final “as-built” Part L calculations of the Building Regulations through energy efficiency measures to ensure at least a 10% reduction is achieved. This is to be submitted within one month of practical completion of the development, confirming the actual carbon emissions to be offset, with any shortfall to be paid through a further offset.
- f) BNG Requirement (TBC) towards on-site gains must last for at least 30 years from the date you complete the development.
- g) Financial Contribution (TBC) towards off-site tree planting (and maintenance for 30 years) along the existing grass verges on Alexandra Avenue and directly opposite the site frontage on Eastcote Lane (as shown in Drawing: PL06).
- h) Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement; and
- i) Planning Administration Fee: Payment of [TBC] for the agreement administration fee for the monitoring of and compliance with this agreement.

RECOMMENDATION B:

That if, by 24th October 2024 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following 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 social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2023), policies D7, H5, G6, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM13, DM20, DM21, DM24, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

Councillor Nitin Parekh proposed that the application should be refused on the following grounds:

The proposal by virtue of its positioning very close to a very busy highway would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character. The development therefore would not maintain or enhance the character of surrounding street scene and visual interest of its surrounding and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies D3 of the London Plan (2021), DM1 of Harrow Development Management Policies (2013).

This was seconded by Councillor Peymana Assad.

The refusal was put to the vote, and not agreed.

DECISION: GRANTED

The Committee wished it to be recorded that the decision to GRANT the application subject to conditions set out as per Recommendations A, B and the addendums.

Councillors Marilyn Ashton, Christopher Baxter, Samir Sumaria and Zak Wagman voted to grant the application.

Councillors Peymana Assad, Simon Brown and Nitin Parekh voted against granting the application.

359. 1/02 Safari Cinema, Station Road, Harrow - PL/0851/23

PROPOSAL:

Redevelopment to provide part 11/part 5 storey building with basement level comprising residential units; cinema (sui generis) to ground floor with associated parking, landscaping, bin, and cycle stores. Details: Comprising 82 residential units.

RECOMMENDATION A:

The Committee was asked to:

GRANT planning permission subject to:

1. Agree the reasons for approval as set out in this report.
2. Delegate authority to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Deed of Variation relating to the original Section 106 legal agreement attached to planning permission P/3043/19 dated 23/07/2020 and other enabling development 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 Deed of Variation to the original Section 106 Agreement Heads of Terms would cover the following matters:

Inclusion of this Planning Application:

- (a) To include this planning application reference within the definition of Planning Application and Planning Permission.
- (b) Saved where modified (as noted below) all obligations entered into the original deed to apply to this second planning permission.

Cinema (F2)

The developer agrees that the proposed cinema (use class- sui generis) shall be provided and shall only be used for purposes as a cinema.

Affordable Housing

- (a) Deletion of all definitions and obligations relating to the provision of Affordable Housing onsite and off-site contributions within the Principal Deed.
- (b) Amendments to the definition of Application Stage Viability.
- (c) Amendments to Applications Stage Build Cost and GDV and any other definitions and obligations relating to the First Application Viability Appraisal to take into account the changes agreed in the Second Application Viability Appraisal.
- (d) Removal of Early-Stage review definition and Clauses

- (e) Retention of Late-Stage review mechanism (to be agreed) to enable the financial viability of the development to be re-appraised prior to 80% occupation of the units to enable any additional affordable homes to be provided on-site, in the first instance, otherwise as a cash in-lieu sum for off-site provision.

Café

- (a) Removal of reference to ancillary café in the original deed.

Legal Costs, Administration and Monitoring

- (a) 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 (TBC).
- (b) 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 (TBC).

RECOMMENDATION B:

That if, by 24th October 2024 or such extended period as may be agreed in writing by the Chief Planning Officer, the deed of variation to the original section 106 Planning Permission is 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 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 (2023), policies D7, H5, H6, G6, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP4, AAP6, AAP13 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM7, DM12, DM13, DM14, DM27, DM28, DM42, DM43, DM44 and DM45 and DM50 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 subject to conditions set out as per Recommendations A, B and the addendums.

Councillors Marilyn Ashton, Christopher Baxter, Samir Sumaria and Zak Wagman voted to grant the application.

Councillor Nitin Parekh and Councillor Peymana Assad voted to refuse the application. The Chairman requested that Councillors Parekh and Assad proposed reasons for refusing the application, but they declined to do so.

Councillor Simon Brown abstained from voting.

360. 2/01 32 Roxeth Grove, HA2 8JG - PL/1022/24

PROPOSAL:

Rear conservatory and associated rear patio (retrospective)

RECOMMENDATION:

The 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: GRANTED

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

361. 2/02 76 Wetheral Drive, HA7 2HL - PL/0435/23

PROPOSAL:

Provision of rear dormer; reinstatement of original roof structure (hipped roof) and provision of rooflights to front and rear roof slope (as amended)

RECOMMENDATION:

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: GRANTED

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

362. 2/03 Edgware Police Station, Whitchurch Lane, HA8 6LB2 - P/0871/22

PROPOSAL:

Conversion of police station (use class Sui generis) to hotel (use class C1) including conversion of loft area via the erection of 6no flat roof rear dormers, ancillary restaurant/breakfast room and minor external alterations.

RECOMMENDATION A:

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 the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, 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 S106 agreement Heads of Terms would cover the following matters:

Highways and Parking

- A Travel Plan to be submitted to the Council prior to the first occupation of the building. A travel plan bond (to be agreed with the Council) will be required to secure the implementation of all measures specified in the revised Travel Plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site. Appointment of Travel Plan Coordinator. Travel Plan monitoring fee of £5,000.
- Contribution for Upgrade of existing single yellow line waiting restriction to an 'at any time' restriction.
- A contribution of £3,000 is required to undertake work to kerbside improvements to Whitchurch Lane upgrading the waiting restriction via a section 278 with the highway authority. This would include amendments to the relevant traffic management order, lining and signing.
- A contribution secured for a CPZ review of the area (final figure/cost to be confirmed at s106 stage).

Lawful Operation Use

- The development shall be secured as a C1 Use Class (Hotel) with onsite ancillary restaurant on site in perpetuity and for no other use whatsoever unless agreed in writing by the Local planning Authority secured by legal agreement.

Legal Costs and Monitoring Fee

- Payment of section 106 monitoring fee upon completion of section 106 agreement (amount TBC)
- Payment of all reasonable legal fees upon completion of section 106 agreement.

RECOMMENDATION B:

That if, by 18th September 2024 or such extended period as may be agreed in writing by the Chief Planning Officer, the Section 106 Planning Obligation is 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 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 (2023), policies D2, E10, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM34, and DM50 of the Harrow Development Management Polices Local Plan.

DECISION: GRANT

The Committee wished it to be recorded that the decision to GRANT the application subject to conditions set out as per Recommendations A and B.

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

Councillors Marilyn Ashton, Peymana Assad, Simon Brown, Christopher Baxter, Samir Sumaria and Zak Wagman voted to grant the application,

Councillor Nitin Parekh abstained.

The 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 8.18 pm).

(Signed) Councillor Marilyn Ashton
Chair