

PLANNING COMMITTEE

MINUTES

10 JULY 2013

Chairman: * Councillor William Stoodley

Councillors: * Mrinal Choudhury * Bill Phillips
* Keith Ferry * Simon Williams
* Stephen Greek * Stephen Wright

* Denotes Member present

420. Attendance by Reserve Members

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

421. 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>
Susan Hall	1/01 – Colart Ltd, Whitefriars Avenue, Harrow
Susan Hall Jean Lammiman Stanley Sheinwald	2/02 – Units 1-10, 286 Pickwick Walk, Uxbridge Road, Hatch End, Pinner
Susan Hall	2/04 – Willow Cottage, Hillside Road, Pinner

422. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning application 2/02 – Units 1-10, 286 Pickwick Walk, Uxbridge Road, Hatch End, Pinner

Councillor Stephen Wright declared a disclosable pecuniary interest in that he used a number of the retail outlets and knew the tenants on a personal basis. He would leave the room whilst the matter was considered and voted upon.

Agenda Item 10 - Planning application 2/02 – Units 1-10, 286 Pickwick Walk, Uxbridge Road, Hatch End, Pinner

Councillor Jean Lammiman and Councillor Susan Hall declared a non pecuniary interest in that they were users of the retail outlets. They would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 - Planning application 2/03 – Stanmore College, Elm Park, Stanmore

Councillor Jean Lammiman declared a non pecuniary interest in that she was a Governor of Stanmore College. She would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 - Planning application 2/05 – Lowland Recreation Ground, Lowlands Road, Harrow

Councillor Stephen Greek declared a non pecuniary interest in that he was an employee of the Greater London Authority. He would remain in the room whilst the matter was considered and voted upon.

423. Minutes

RESOLVED: That the minutes of the meeting held on 19 June 2013 be taken as read and signed as a correct record.

424. Public Questions

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

425. Petitions

RESOLVED: To note the receipt of the following petitions:

- (1) A petition presented by Councillor Jean Lamiman containing 100 signatures in objection to the application regarding Units 1-10, 286 Pickwick Walk, Uxbridge Road, Hatch End, Pinner;
- (2) A petition presented by Councillor Stanley Sheinwald containing 483 signatures in objection to the application regarding Units 1-10, 286 Pickwick Walk, Uxbridge Road, Hatch End, Pinner.

426. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

427. Representations on Planning Applications

RESOLVED: That

- (1) in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of items 1/01, 2/01 and 2/02 on the list of planning applications;
- (2) in accordance with the provisions of Committee Procedure Rule 30.5 it was agreed that two objectors be able to address the Committee in relation to item 2/02 on the list of planning applications.

RESOLVED ITEMS

428. Planning Applications Received

In accordance with the Local Government (Access to Information) Act 1985, the Addendum was admitted late to the agenda as it contained information relating to various items on the agenda and was based on information received after the despatch of the agenda. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

RESOLVED: That authority be given to the Divisional Director of Planning to issue the decision notices in respect of the applications considered.

COLART LTD, WHITEFRIARS AVENUE, HARROW

Reference: P/1383/13 (Colart Fine Art And Graphics Limited). Outline Planning Application for a Comprehensive Mixed Use Development of Land at Former Winsor and Newton Factory and Office Buildings; Demolition of Existing Buildings, the Retention of the Winsor and Newton Former Office Building to be Refurbished for Business and Employment Uses (Use Classes B1(A), B1(B) and B(C)) and New B1 Employment Space Equating to a Total of 2,921sqm; up to 195 New Residential Dwellings (Use Class C3); Safeguarded Area of Land for Education Use (Use Class D1); Together with New Streets, Public Realm, Parking and Means Of Access.

An officer introduced the planning application which was for a comprehensive redevelopment with the retention of the existing building on the site frontage. It was reported that a site visit had taken place. It was a residential led employment scheme with creative industries appropriate to the area. The Committee noted that the Area Action Plan (AAP) included a specific allocation for this site for a mix of use and set the parameters of development. B1 use was appropriate in a residential area. The redevelopment would secure additional space for Salvatorian College.

In response to questions the Committee was informed that:

- the AAP indicated that five storey development would be acceptable on the part of the site adjacent to Salvatorian College. The five storey element within the site was restricted by the design code in relation to the percentage of building frontage at that height, and limitations on the length of any particular element on the fifth floor. By way of reference to building heights, the retained three storey building on the frontage would be approx 3m lower than a five storey residential building;
- the 159 parking spaces were based on an indicative layout. 0.7 parking spaces to each property was consistent with London Plan parking standards;
- the application was for outline approval and the requirement for play space would be subject to discussion at reserve matter stage. The concern of the Committee to ensure sufficient play space was noted and the officers would ensure that requirements were met;
- the education service CIL allocation was not ringfenced;
- CIL payments payable to the Mayor of London would be allocated for Crossrail;
- reference to an A3 café/restaurant in the AAP had not been included as a result of vitality work and marketing outcomes;
- the roads within the development would not be adopted and would be managed by a site management company;
- the applicant met the thresholds for sustainability;
- the heights within block D would be 13.6 metres and there would be 8 metres between the building and boundary with the residential properties fronting Graham Road..

A Member of the Committee proposed refusal on the following grounds:

1. The proposal would result in an overdevelopment, out of scale and character with the surrounding area, and the proposed building heights would result in a loss of amenity to neighbouring properties, contrary to Policy 7.4 of the London Plan, Policies CS1(B) and CS2(C) of the Core Strategy, Policies AAP4 and AAP5 of the Harrow and Wealdstone Area Action Plan, and Policy DM1 of the Development Management Policies Local Plan.
2. The proposal provides an insufficient level of off street parking to support the proposed level of use, with insufficient public transport capacity to meet demand, resulting in an unacceptable impact on the amenity of neighbouring occupiers, contrary to Policy CS1(S) of the

Core Strategy, Policy AAP19 of the Harrow and Wealdstone Area Action Plan, and Policy DM42 of the Development Management Policies Local Plan.

The motion for refusal was seconded, put to the vote and lost.

The committee received representations from an objector, James Ryan, and a representative of the Applicant, Michael Lowndes.

DECISION:

- (1) **GRANTED** permission for the development as described on the application and submitted plans, as amended by the addendum, subject to the referral to the Greater London Council and the completion of a Section 106 Agreement with the Heads of Terms stated, conditions and informatives reported;
- (2) the delegation to the Divisional Director of Planning, in consultation with the Director of Legal and Governance Services, for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or legal agreement be approved;
- (3) should the Section 106 Agreement not be completed by 30 September 2013, the decision to REFUSE planning permission be delegated to the Divisional Director of Planning on the grounds as set out in the report.

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

WESTBURY LODGE COTTAGE, CHAPEL LANE, PINNER

Reference: P/0045/13 (Mrs Olawunmi Odunaiya). Single Storey Rear Extension and First Floor Side Extension; External Alterations.

The Committee was informed that the application was reported to the Committee because a petition had been received and it was considered that there was a significant level of public interest. It was reported that the application was a resubmission of an expired permission which was granted on 17 September 2008.

In response to questions it was noted that:

- the planning application before the Committee was exactly the same as that previously approved;
- the large Wellingtonia tree located in the side garden and a group of trees at the back boundary had Tree Preservation Orders;
- whilst planning policies had changed subsequent to the previous approval, the main thrust of the policies had not changed. The officers were unaware of the reasons why the planning consent had not been implemented but this was not necessarily a planning consideration;

- the proposed extension was about 30% bulk of the original so was not disproportionate in the officers' view;
- the single storey rear extension could not be constructed under permitted development due to the wraparound;
- the impact on Windsor Court had been addressed and was not unacceptable either for daylight or distance;
- whilst action under the High Hedges Act was not a planning consideration, the Council acted as an arbitrator and the officers would facilitate this if requested.

The committee received representations from an objector, Diana Spencer and a representative of the Applicant, Mr Odunaiya.

DECISION: GRANTED permission for the development as described on the application and submitted plans, subject to the conditions and informatives reported.

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

UNITS 1-10, 286 PICKWICK WALK, UXBRIDGE ROAD, HATCH END, PINNER

Reference: P/0681/13 (The Word & Krailing Pension Fund). Change of Use of Units 1-10 from Shoe Repair Shop, Nail Bar, Cafe, Mini-Cab Office, Barbers and Dress Makers/Seamstress (Use Classes A1, A3, Sui Generis) to Retail Unit and Cafe (Use Classes A1 and A3).

An officer introduced the report, indicating that the application was being reported to the Planning Committee as the application was of significant public interest including petitions and representations. It was reported that planning policy did not protect small units/businesses. Since May 2013 a number of uses had authority to change to A1 or A3 without requiring planning permission. However, the nail bar and minicab businesses did not have such permitted rights because they were a sui generis use nor would they normally be town centre use. The internal division did not require planning permission in itself. The termination of tenancies was not a planning consideration.

In response to questions it was noted that:

- the lease arrangements were coming to an end and if the landlord chose not to renew it was not a planning consideration;
- the increase in retail floorspace was in accordance with policy;

- whilst the small premises added to the vitality of the area it was difficult to claim diversity of retail. A larger retail footprint could be equally attractive;
- the existing café was broadly similar. Whilst there would be a different access the activity was broadly in the same location;
- the policies and recently adopted plan did not provide protection to the current arrangements. The current uses of a number of the units were not classed as retail. The A1 retail space and A3 café were retail use but bank or betting shop uses would not be.

A Member of the Committee proposed refusal on the following grounds:

1. The proposed change of use would result in an unacceptable loss of retail frontage and of individual retail uses, including some specialist and unique retail facilities. It would therefore harm the vitality and distinctive local character of Hatch End Local Centre and the quality, diversity and range of its retail offering, contrary to Policies 2.15(C) and 4.8 of the London Plan, Policies CS1(B) and CS1(L) of the Core Strategy, and Policies DM1 and DM37 of the Development Management Policies Local Plan.
2. The proposed A3 use would result in an over-intensification of the site, and would harm the character of the adjoining residential area and the amenity of neighbouring occupiers, by reason of increased noise and disturbance, contrary to Policy 7.4 of the London Plan, Policy CS1(B) of the Core Strategy and Policy DM1 of the Development Management Policies Local Plan.

The motion for refusal was seconded, put to the vote and there was a equality of votes. The Chairman used his casting vote in favour of the motion to refuse so it was carried.

The committee received representations from two objectors, Anna Swinson and Hanisha Umeria.

DECISION: REFUSED planning permission for the development described in the submitted plans and application for the reasons given.

The Committee wished it to be recorded that the decision to refuse the application was as follows:

Councillors Stephen Greek, William Stoodley, and Simon Williams voted to refuse planning permission.

Councillors Mrinal Choudhury, Keith Ferry and Bill Phillips voted against the motion to refuse planning permission.

STANMORE COLLEGE, ELM PARK, STANMORE

Reference: P/0439/13 (Mr Tristan Shanahan). Temporary Retention of Two Storey Building (Spruce Building) Fronting Elm Park for a Period of 36 Months.

In presenting the application, the officer referred to two previous planning applications for the retention of the temporary building and that permanent permission had been refused. A strategic plan was now being developed with funding on a year by year basis for three years. A three storey replacement to the Hamblin building was due for submission to the September Planning Committee.

It was noted that no responses to the consultation had been received.

DECISION: DELEGATION to the Divisional Director of Planning to **GRANT** the planning application following the end of the consultation period on 10 July 2013 be agreed, subject to no additional adverse comments being received and the conditions and informatives reported:

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

WILLOW COTTAGE, HILLSIDE ROAD, PINNER

Reference: P/0934/13 (Mr Sabri Karim). Retrospective Application for a Loft Conversion with Proposed Alterations to Reduce the Size Of The Unauthorised Side And Rear Dormers; Removal Of One Of The Flat Roofed Rear Dormers; Removal Of 18 Of The 26 Unauthorised Rooflights; Insertion Of 2 Additional Rooflights; Replacement Of Unauthorised Pantiles With Clay Tiles On Roof

DECISION: DEFERRED to enable a site visit.

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

LOWLANDS RECREATION GROUND, LOWLANDS ROAD, HARROW

Reference: P/1402/13 (Harrow Council). New Building to Provide Performance Space and Cafe; Earthworks to Include Banking and Changes in Levels; Steps to Create Amphitheatre; Provision of Play Areas including Mounds and Play Equipment; Associated Landscaping.

It was reported that a site visit had taken place. A Business Plan had been circulated for information and was not part of the planning application. In response to questions, it was noted that:

- toilet facilities were available at Harrow on the Hill station and one at the café building. Condition 13 required that an event with a significant number of people would require the submission of an event

management strategy which could include consideration of the need for portals;

- the character of the building was in context and there had been community engagement including a public meeting;
- fire regulations to ensure that risks were mitigated was a matter for building regulations, the officers undertook to bring it to their attention;
- information available indicated that funds would be available for ongoing maintenance;
- any signage would require advertisement consent

It was proposed, seconded and agreed that for uses with the performance space closed, the permitted closing hour should be 2300 hours throughout the week.

DECISION: GRANTED permission, under Regulation 3 of the Town and Country Planning General Regulations, for the development described in the applications and submitted plans, as amended by the addendum, subject to the conditions and informatives reported and an amendment to Condition 9 to enable opening time to 2300 throughout the week.

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

143 LONG ELMES, HARROW WEALD

Reference: P/1145/13 (Mr Sanjay Karia). First Floor Side to Rear Extension.

It was noted that the application was reported to the Planning Committee because it lied on land owned by an employee of the Council and was therefore excluded from the Scheme of Delegation.

DECISION: GRANTED permission for the development described in the applications and submitted plans, subject to the conditions and informatives reported.

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

TREVOSSE, 116 ROWLANDS AVENUE, HATCH END

Reference: P/1381/13 (Mr & Mrs Atul Patel). Two Storey Side Extension.

DECISION: DEFERRED to allow for consideration of a revised scheme.

429. INFORMATION REPORT - Appeals and Enforcement Update Report

The Committee received a report of the Divisional Director of Planning which provided an overview of planning appeal decisions for Quarter 4 of 2012/13, and end of year overview enforcement statistics for 2012/13.

RESOLVED: That the report be noted.

430. Local Validation Requirements: Consultation Response

Consideration was given to a report of the Divisional Director of Planning on the outcome of the consultation on Harrow's revised Planning Validation Requirements.

RESOLVED: That the delegation to the Divisional Director of Planning, in consultation with the Portfolio Holder for Planning and Enterprise, to adopt the Validation Requirements following the expiration of the consultation period, be agreed.

431. Member Site Visits

RESOLVED: That a site visit be arranged for Willow Cottage, Hillside Road, Pinner.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.56 pm).

(Signed) COUNCILLOR WILLIAM STOODLEY
Chairman