

# PLANNING COMMITTEE

## MINUTES

### 3 SEPTEMBER 2014

**Chairman:** \* Councillor Keith Ferry

**Councillors:** \* Ghazanfar Ali (1) \* Nitin Parekh (2)  
\* June Baxter \* Sachin Shah (3)  
\* Stephen Greek \* Norman Stevenson

\* Denotes Member present  
(1), (2) and (3) Denote category of Reserve Members

#### 31. The Openness of Local Government Bodies Regulations 2014

**RESOLVED:** That Committee Procedure Rule 26.1 be suspended to enable the recording or photographing or broadcasting of any part of the meeting.

#### 32. Attendance by Reserve Members

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

Ordinary Member

Councillor Graham Henson  
Councillor Kairul Kareema Marikar  
Councillor Anne Whitehead

Reserve Member

Councillor Sachin Shah  
Councillor Nitin Parekh  
Councillor Ghazanfar Ali

### 33. 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>
Jerry Miles	2/05 7 Stroud Gate, Harrow
Graham Henson	3/01 154 Eastcote Lane, South Harrow

### 34. Declarations of Interest

**RESOLVED:** To note that the following interests were declared:

Agenda Item 10 – Planning Applications 1/01, Whitefriars Community School, Harrow; 2/01, Earlsmead Primary School, Arundel Drive, Harrow; 2/02, West Lodge Primary School, West End Lane, Pinner

Councillor Keith Ferry declared a non-pecuniary interest in that he was the Portfolio Holder responsible for the properties that were the subject of the applications. He would remain in the room whilst the matters were considered and voted upon.

Councillor Sachin Shah declared a non-pecuniary interest in that he was the Cabinet member for Finance and had had some involvement. He would remain in the room whilst the matters were considered and voted upon.

Agenda Item 10 – Planning Application 2/06, Talbot Road, Harrow

Councillors June Baxter, Stephen Greek and Norman Stevenson declared a disclosable interest in that the applicant was the son of a Conservative Councillor. They would leave the room whilst the matter was considered and voted upon.

### 35. Minutes

**RESOLVED:** That the minutes of the meetings held on 18 June 2014, 25 June 2014 and 16 July 2014 be taken as read and signed as a correct record.

### 36. Public Questions

**RESOLVED:** To note that one public question had been received and responded to. The recording was placed on the website, together with the answer to a supplemental question.

### 37. Petitions and Deputations

**RESOLVED:** To note that no petitions or deputations had been received.

### **38. References from Council and other Committees/Panels**

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

### **39. Representations on Planning Applications**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of item 2/05 on the list of planning applications.

### **RESOLVED ITEMS**

### **40. 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.

### **WHITEFRIARS COMMUNITY SCHOOL, HARROW**

Reference: P/2512/14 (Harrow Council). Construction of a Two and Three Storey Building to Provide an All Through Community School Combining Whitefriars Primary School with a New Secondary School (Proposed Primary School to be 3 Forms of Entry (630 Pupils) and the Secondary School to be 5 Forms of Entry (750 Pupils & 75 Post 16)); Associated Works to Include New Hard and Soft Play Spaces Including a MUGA; Car Parking; Hard and Soft Landscaping; Boundary Treatment; Refuse/Recycling Store; Cycle Parking Spaces and a New Pedestrian Access.

The Committee received a consultation update as contained in the addendum together with an outline of initiatives under consideration arising from the traffic assessment.

In response to questions it was reported that:

- the Locally Listed status of the exterior of the Edwardian building afforded less protection than that which would be provided by Statutorily Listed status. No works were planned for that building either in connection with the application or scheduled;
- the school had bronze accreditation for the School Travel Plan and aimed to achieve gold accreditation by the time it was fully occupied;
- a condition requiring the submission of a management plan for community use had been included. Parking for such use would be at

the front and rear of the site. The size of the hall would regulate the number of users and officers were therefore satisfied that community use would not impinge on the neighbourhood.

**DECISION: GRANTED** permission, under Regulation 3 of the Town and Country Planning General Regulations, for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended by the addendum.

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

### **ST JOHNS COURT, ST JOHNS ROAD, HARROW**

Reference: P/1723/14 (W E Black Ltd). Redevelopment to Provide a Four Storey Building Containing 15 Flats (2 x 1 Bedroom and 13 x 2 Bedroom) with Front and Rear Balconies and Associated Parking, Amenity and Landscaping.

It was noted that concerns regarding rear access had been addressed by condition including the undercroft car parking area.

In response to a question, it was noted that the viability assessment had calculated that affordable housing was not viable. A clawback provision would be instituted if appropriate.

#### **DECISION:**

1. **GRANTED** permission for the development described in the application and submitted plans, subject to the completion of a Section 106 agreement with heads of terms as set out in the report and subject to the conditions and informatives reported, as amended by the addendum;
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 15 October 2014, the decision to REFUSE planning permission be delegated to the Divisional Director of Planning on the grounds set out in the report.

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

### **EARLSMEAD PRIMARY SCHOOL, ARUNDEL DRIVE, HARROW**

Reference: P/2392/14 (Harrow Council). Single Storey Infill Extension to Connect Existing Buildings Incorporating New Entrance Lobby; Associated Hard and Soft Landscaping (In Association with the Expansion of the Existing School from 404 Pupils to 416 Pupils).

**DECISION: GRANTED** permission, under Regulation 3 of the Town and Country Planning General Regulations, for the development described in 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.*

#### **WEST LODGE PRIMARY SCHOOL, WEST END LANE, PINNER**

Reference: P/2393/14 (Harrow Council). Single Storey Extension to the North of the Main School Building; Single Storey Extension to West Wing of Building; Associated Ramps and Hard and Soft Landscaping (In Association with the Expansion of the Existing School from 630 Pupils to 648 Pupils).

**DECISION: GRANTED** permission, under Regulation 3 of the Town and Country Planning General Regulations, for the development described in 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.*

#### **92 CECIL ROAD, HARROW**

Reference: P/2435/14 (Ms P Ladhu). Single Storey and First Floor Rear Extensions.

It was noted that the application had been reported to the Planning Committee because the applicant was an employee of the Council.

**DECISION: GRANTED** permission for the development described in 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.*

#### **SCHOOL HOUSE, SYLVIA AVENUE, PINNER**

Reference: P/2403/14 (Mr Iain Sutherland). Change of Use from Care Taker Residence (Use Class C3) to Office/Educational (Use Class D1); Single Storey Rear Infill Extension.

**DECISION: GRANTED** permission for the development described in 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.*

## 7 STROUD GATE, HARROW

Reference: P/1204/14 (Mrs Berta Lilly). Conversion of Dwellinghouse into Two Flats; External Alterations; Landscaping; Bin and Cycle Storage; Conversion of Detached Outbuilding in Rear Garden to Double Garage.

The officer stated that the owner had fully complied with the requirements of the Enforcement Notice. The Committee was required to have regard to the current application.

In response to questions, it was reported that:

- the individual room sizes generally met the GIA guidance. Each room had been designed to enable the shape to be used efficiently and the deficiency was in the circulation space in the hallway;
- due to the existing two storey side extension, access to the rear garden for the first floor flat was not possible;
- whilst the garages were not directly connected, usability was the important factor and there was no requirement for their use as garages. They could be used for storage for example. A condition was recommended to ensure that the development was completed in accordance with the approved details as well as the development description referring to the works to the outbuilding. Therefore the conversion of the outbuilding back into garages would be a requirement of the planning permission.

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

The proposal would constitute an over-intensive conversion which fails to meet sufficient internal space standards or to provide amenity space for the first floor flat, to the detriment of the amenities of neighbours and future occupiers, contrary to policies DM1 and DM26 of the Development Management Policies Local Plan.

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

The Committee received representations from an objector, Diana Lobo.

**DECISION: GRANTED** permission for the development described in 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 as follows:*

*Councillors Ghazanfar Ali, Keith Ferry, Nitin Parekh and Sachin Shah voted for the application.*

*Councillors June Baxter, Stephen Greek and Norman Stevenson voted against the application.*

### **8 TALBOT ROAD, HARROW**

Reference: P/2265/14 (Mr Kapil Kara). Certificate of Lawful Development (Existing): Single Storey Rear Extension.

It was noted that the application had been reported to the Planning Committee because the applicant was related to a Member of the Council.

**DECISION: GRANTED** permission for the development described in 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.*

### **LAND ADJACENT TO THE ARCHES, ROXETH GREEN AVENUE, SOUTH HARROW, HARROW**

Reference: P/1629/14 (Mr M Shwartz). Development to Provide a Three Storey Building Containing 6 Self-Contained Flats; Ground Floor Class B1 / D1 / D2 Unit; Separate Residential / Commercial Entrances; Associated Part Undercroft / Part Surface Car Parking; Landscaping; Refuse Storage Via Existing Vehicular Access

In response to a question, it was noted that the land was owned by the applicant on a long lease with right of use.

**DECISION: GRANTED** permission for the development described in 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.*

### **154 EASTCOTE LANE, SOUTH HARROW**

Reference: P/2243/14 (Mrs Asma Chaudhry). Single Storey Rear Extension (Retrospective).

The officer reported that a site visit had taken place. The Committee was informed that there was an extant enforcement notice that had not been complied with. There was not a fallback position as permitted development could not be granted retrospectively.

In response to questions it was noted that:

- current legislation required prior approval for such a development. It was too high for permitted development;

- the extension had been inspected by a Building Control officer who had looked at building control aspects and not planning elements;
- it was not practical to lower the height of the roof as it would not then comply with building regulations;
- site circumstances could change if the house to the right had an extension, which it did not;
- a view needed to be taken as the enforcement notice had not been complied with. There were a number of properties where enforcement notices had been served and the officers had met with the applicants to try to resolve the issues;
- whether or not there was a complaint was not a factor on whether to proceed with enforcement action.

A number of Members expressed support for the application for reasons including: the applicant had not been informed by the architect that planning permission was required, an officer had inspected the site without raising concerns, the amount of time that had elapsed since the enforcement notice had been served, the effort made by the applicant to resolve the situation, and the information received that none of the current neighbours had objected to the scheme.

It was proposed and seconded that consideration of the application be deferred in order to consider whether to grant it at the next meeting. Upon being put to the vote the motion was carried.

**DECISION: DEFERRED** permission for the development described in the application and submitted plans.

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

*Councillors Ghazanfar Ali, Keith Ferry, Nitin Parekh and Sachin Shah voted for the application to be deferred*

*Councillors June Baxter, Stephen Greek and Norman Stevenson voted against the deferral of the application.*

#### **41. INFORMATION ITEM - Response to Government Consultation on Further Changes to Planning**

**RESOLVED:** That it be noted that the report was withdrawn.

#### **42. Member Site Visits**

**RESOLVED:** To note that there were no site visits to be arranged.



(Note: The meeting, having commenced at 6.30 pm, closed at 8.30 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chairman