

PLANNING COMMITTEE

MINUTES

18 DECEMBER 2014

Chair: * Councillor Keith Ferry

Councillors: * June Baxter * Sachin Shah (3)
* Stephen Greek * Norman Stevenson
* Graham Henson * Anne Whitehead

* Denotes Member present

(3) Denotes category of Reserve Member

69. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Kairul Kareema Marikar

Councillor Sachin Shah

70. Right of Members to Speak

RESOLVED: That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

71. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning Applications Received (1/01 and 1/02)

Councillor Keith Ferry declared a non-pecuniary interest in that the above applications had been previously considered by Cabinet, of which he was Member. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received (1/01 and 1/02)

Councillor Stephen Greek declared a non-pecuniary interest in that he had previously been a Cabinet Member when the above applications had been considered by Cabinet. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received (1/01 and 1/02)

Councillor Graham Henson declared a non-pecuniary interest in that the above applications had been previously considered by Cabinet, of which he was Member. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received (1/01 and 1/02)

Councillor Sachin Shah declared a non-pecuniary interest in that the above applications had been previously considered by Cabinet, of which he was Member. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Planning Applications Received (1/01 and 1/02)

Councillor Anne Whitehead declared a non-pecuniary interest in that the above applications had been previously considered by Cabinet, of which she was Member. She would remain in the room whilst the matter was considered and voted upon.

72. Minutes

RESOLVED: That the minutes of the meeting held on 19 November 2014 be taken as read and signed as a correct record.

73. Public Questions *, Petitions and Deputations

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

74. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

75. 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 2/01 on the list of planning applications.

RESOLVED ITEMS

76. 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 is given to the Head of Planning to issue the decision notices in respect of the applications considered.

HARROW MUSEUM, HEADSTONE MANOR, PINNER VIEW, HARROW

Reference: P/3757/14 (Headstone Manor Museum & Heritage Centre)
Description: Regeneration Works To Headstone Manor Estate Comprising The Following Works:

Headstone Manor: External And Internal Alterations (Including Installation Of Platform Lift And Accessible WC) To Listed Manor And Change Of Use To Museum (Use Class D1)

Small Barn: New Porch Entrance And Internal/ External Alterations To Building To Provide A New Museum Entrance To The Site

Granary: Internal Alterations Comprising The Installation Of A Platform Lift To Existing Building Providing Educational/ Learning Centre For The Estate And Associated External Alterations Already Approved Under Applications P/2967/13 (Listed Building Consent) And P/3369/13.

New Welcome Building (Within South-East Section Of Site) With Cafe, Shop And Public Accessible Toilets (Use Class Sui-Generis)

Associated Landscaping

Provision Of An Overflow Car Park (Up To An Additional 140 Spaces) To The East Of Existing Car Park And Alterations To Existing Car Park

Following questions from Members, an officer advised that:

- the moat was not strictly part of the application. However, recent reports that the water in the moat was contaminated by algae as a result of insecticides used at the site, and was poisoning the fish and ducks in the moat, would be fed back to the contractors;
- the car park, which was on a flood plain, would be used as an overspill car park. Furthermore, the Environment Agency had not identified any additional flood risks. The car park would not be in continuous use,

would be properly managed as the Museum would be required to put in place an event management strategy;

- improved signage and some additional parking restrictions on Pinner view would mitigate against any increase in vehicular traffic to the site.

DECISION: GRANTED planning permission for the development described in the application and submitted plans subject to conditions and informatives, as amended by the addendum.

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

HEADSTONE MANOR RECREATION GROUND, PINNER VIEW, HARROW

Reference: P/3797/14 (Headstone Manor Recreation Ground, Pinner View, Harrow) Description: Listed Building Consent: Internal And External Alterations To Headstone Manor, The Granary, Great Barn And The Small Barn Including: Repairs And Accessibility Alterations For Conversion Of Headstone Manor House To A Public Museum (Including Platform Lift And Accessible WC); Accessibility Alterations And Conversion Of Small Barn And Addition Of A Porch; Accessibility alterations to the granary (including installing a platform lift and external alterations)

DECISION: GRANTED Listed Building Consent for the works described in the application and submitted plans, subject to:

- a) conditions, as amended by the addendum,
- b) receipt of a stamped authorisation letter from the Secretary of State following referral from the National Planning Policy Casework Unit

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

6 ACACIA CLOSE, STANMORE

Reference: P/3930/14 (Mr & Mrs Z Hirji) Description: Two Storey Side Extension; Alterations To Form Pitched Roof To Front Ground Floor Projection; External Alterations

Following questions from Members, an officer advised that:

- a previous application for a similar extension had been refused, however, the current application was more modest in scope;
- the proposed extension would be visible over the hedge that was planned to be planted along the front boundary of the property and that

the extension would be visible above the hedge. However, the impact of this was considered to be acceptable and in keeping with the character of the building and the area.

The Committee received representations from an objector, Glenys Barker and a representative of the Applicants, Mr & Mrs Hirji.

DECISION: GRANTED planning permission for the development described in the application and submitted plans, subject to condition(s).

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

Councillors Keith Ferry, Graham Henson, Sachin Shah and Ann Whitehead voted for the application.

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

11 - 15 ST ANNS ROAD, HARROW

Reference: P/4011/14 (Niruma Investments LLP Description: Conversion Of 2nd And 3rd Floors From Education (Use Class D1) To Form Four Flats (Use Class C3); Addition Of Two Additional Storeys To Building To Form Four Flats (8 Flats In Total); External Alterations To Building Including Entrance Canopy; Refuse And Cycle Storage

It was noted that the date of completion of the S106 Agreement set out in Recommendation B, should read 14 January 2015 (and not 14 January 2014).

Following questions from Members, an officer advised that:

- there were other similar developments in the Town Centre without any allocated parking, however, officers were not aware of any issues or complaints arising from this.

Recommendation A

DECISION: GRANTED permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) Implement a land use 'swap' that would see the permitted change of use from office to residential at 15 College Road being provided through the redevelopment of 11 – 15 St Anns Road.

- ii) The existing office floor space at 15 College Road retained and renewed.

Recommendation B

That if the Section 106 Agreement is not completed 14th January 2015 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure the retention of the office floor space at Amba House, No.15 College Road and the permitted change of use of this building to residential being transferred to No.11-15 St Anns Road, would fail to adequately mitigate the impact of the development in terms of retaining and providing new employment led land uses within the wider town centre area, thereby being contrary to the aspirations of policies 2.13B, 2.15B, 3.16B, 3.18C and 4.2 of The London Plan 2011, policies CS1.N and CS1.P of the Harrow Core Strategy 2012, policy AAP1 of the Harrow and Wealdstone Area Action Plan 2013 and policies DM31, DM32 and DM47 of the Development Management Policies Local Plan (2013).

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

RAW LASAN RESTAURANT (FORMERLY THE VINE INN PUBLIC HOUSE), 154 STANMORE HILL, STANMORE

Reference: P/3906/14 (Pharmchem International Limited) Description: Partial Demolition And Conversion Of Existing Locally Listed Building Into Four X Two Bedroom And Two X One Bedroom Flats; Construction Of 2 Storey Detached Building To Form Two X Two Bedroom Maisonettes; Parking; Landscaping; Private And Communal Amenity Areas; Refuse Storage And Access

Following questions and comments from Members, an officer advised that:

- the application was for a change of use and was therefore excluded from the MPPF and there was recent case law which supported this position;
- the 5 reasons for refusal set out in the report, addressed the plans for a new detached building in terms of its proposed height, siting and scale;
- the existing footprint of the site would be extended under the new proposals;
- the proposals were not in keeping with the semi rural character of the surrounding area, which was Green Belt and the proposal for infilling, went beyond what was considered to be limited infilling.

A Member stated that there was clearly a need for new housing in the borough and the Council had set targets for this. He proposed a motion that would allow the applicant the opportunity to return with an amended proposal which would deal with any unresolved issues in the current application. He therefore proposed a motion that reasons 1, 3 and 4 for refusal, be omitted.

An officer advised against removing any of the 5 reasons for refusal listed in the Recommendation and stated that this would leave the decision open to challenge as the plans in their current form went against a number of local, national and regional plans and policies, would undermine the Core Strategy and that Harrow was well placed to meet its target for new housing.

The above motion was put to the vote and lost. Members made the following additional comments:

- could reasons 3 and 4 for refusal, be omitted?
- reason 3 was the most important and needed to be maintained, otherwise this may set a precedent for future such developments;
- the SPD was mentioned in reasons 3 and 4 and it was the Council's stated position to protect and maintain locally listed buildings;
- a refusal of the current application would not preclude the applicant from submitting a revised application in the future.

A Member stated that reason 4 would preclude the applicant from returning with a revised version of the scheme. He proposed a motion that reasons 3 and 4 for refusal be omitted. The motion was seconded, put to the vote and lost. He then proposed a further motion that only reason 4 be omitted. The motion was seconded, put to the vote and lost.

The Committee voted on the Recommendation as set out in the report. There was an equality of votes and the Chair used his casting vote and the Recommendation was agreed.

DECISION: REFUSED planning permission for the development described in the application and submitted plans for the following reasons(s), as amended by the addendum:

1. The proposed detached building, by reason of height, sitting and bulk, would constitute inappropriate development in the Green Belt, to the detriment of the character, appearance and openness of the Green Belt, contrary to the National Planning Policy Framework (2012), Policy 7.16B of The London Plan (2011), Core policy CS1.F of the Harrow Core Strategy (2012) and Policy DM16 of the Harrow Development Management Policies Local Plan (2013). No very special circumstances have been demonstrated by the applicants whereby the harm by reason of inappropriateness is outweighed by other considerations.

2. The proposed detached building, by reason of design, scale (incorporating height and excessive width), inappropriate materials and sitting, would be out of keeping with the high quality traditional order, design and cohesive group character of the existing locally listed buildings on the site and the adjacent locally listed buildings at Nos. 156 and 158 Stanmore Hill, and would undermine the setting of the group and appear obtrusive as a result. The proposed building would be out of keeping with the density of development and semi-rural character of the surrounding area. The proposal would therefore not preserve the special interest of the existing locally listed building or this group of locally listed buildings, and would fail to preserve or enhance the character or appearance of the Little Common Conservation Area, contrary to the National Planning Policy Framework (2012), policies 7.4B, 7.6B and 7.8C/D of The London Plan (2011), Core policies CS1.B and CS1.D of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document: Stanmore and Edgware Conservation Areas (Appendix 1 – the Little Common Conservation Area Appraisal and Management Strategy (CAAMS) – 2013).
3. The proposed demolition of the existing detached former stable block, which has been in-situ as an ancillary building since the 19th Century, would significantly detract from the cohesive group character of the existing locally listed buildings on the site, and undermine the heritage values of the site without clear and convincing justification, contrary to the National Planning Policy Framework (2012), Policy 7.8C of The London Plan (2011), Core policy CS.1D of the Harrow Core Strategy (2012), Policy DM7 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Stanmore and Edgware Conservation Areas (Appendix 1 – the Little Common Conservation Area Appraisal and Management Strategy (CAAMS) – 2013).
4. The proposed conversion of the existing locally listed subject building to residential units would be incompatible with the existing commercial use and character of the subject building. The proposed use would therefore fail to respect the established character of the existing subject building, and it would fail to preserve the character of the Little Common Conservation Area, contrary to the National Planning Policy Framework (2012), Policies 7.4B, 7.6B and 7.8/C/D of The London Plan (2011), Core policies CS1.B and CS1.D of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document: Stanmore and Edgware Conservation Areas (Appendix 1 – the Little Common Conservation Area Appraisal and Management Strategy (CAAMS) – 2013).
5. The proposed development, by reason of the poor layouts and design of Flats 3, 4, 5 and 6 in the converted locally listed subject building, would result in a substandard level of accommodation by reason of unacceptable vertical stacking between the four flats leading to unreasonable levels of disturbance. The applicants have failed to demonstrate satisfactory

measures to mitigate the unacceptable layouts between the proposed units. The proposal would therefore be detrimental to the amenities of the future occupiers of these units, contrary to the Core policy CS1.K of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide 2010.

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

Councillors Keith Ferry, Graham Henson, and Ann Whitehead voted against the application.

Councillors June Baxter, Stephen Greek and Norman Stevenson voted for the application

77. 19 High Street, Wealdstone, Harrow, HA3 5BY

The Committee received a report of the Divisional Director of Planning which set out a resolution in respect of planning application P/2418/12, which sought an extension of time for the completion of the S106 Planning Obligation in connection with the above application.

Following a question from a Member, the Chair advised that the reason for seeking an 8 week extension for completing the S106, was set out in the report.

A Member proposed a motion that the extension be granted for a four week period only. The motion was seconded, put to the vote and lost.

RESOLVED: That the Committee's resolution in respect of planning application P/2418/12, be amended as follows:

1. **GRANT** planning permission subject to conditions the completion of a section 106 Planning Obligation by **16th March 2015**. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 Planning Obligation and to agree any minor amendments to the conditions or the Planning Obligation.
2. That if the section 106 Planning Obligation is not completed by **16th March 2015**, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning for the following reason:
 1. The proposed development, in the absence of a Planning Obligation to provide affordable housing within the development; to fund the provision of infrastructure directly related to the development; and to provide necessary commitments in relation to the provision of cycle parking on street / cycle access, training and economic development, and legal/administrative matters, would fail to secure the provision of the above

and would fail to adequately mitigate the impact of the development on the wider area, contrary to the National Planning Policy Framework, Policies 3.11 and 8.2 of The London Plan, Policies CS1 J, CS1 Z of the Harrow Core Strategy, Policies DM11, DM19, DM43, and DM50 of the Harrow Development Management Policies Local Plan document, and the provisions of Harrow's Planning Obligations supplementary planning document.

78. 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 7.30 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair