

**PROCEDURE FOR URGENT NON-EXECUTIVE DECISIONS**

To: Cllr. Anne Whitehead  
Cllr. Marilyn Ashton  
Cllr. Stephen Thornton

For return to: Kate Boulter Ext. 2269

Direct Dial. 0208 424 1269

Date: 18<sup>th</sup> August 2005

Ref: LP/AK/PAG-13599

Dear Councillor

**Consultation on Matters of Urgency**

In accordance with the delegation to Chief Officers to act on behalf of the Authority on matters of urgency where it is not practicable to obtain the approval of the appropriate Committee of the Council\*, you are requested to indicate whether you agree with the proposed action.

(\* Either the Standards Committee, the Development Control Committee, the Overview and Scrutiny Committee or the Licensing and General Purposes Committee.)

In the event of disagreement, the matter will be referred to the Chief Executive who may take the decision after consultation with the Leaders of all political groups (or their nominees) and, if appropriate, with the statutory officers. All decisions taken by officers under this delegated power will be reported to the next meeting of the appropriate Committee.

If a Member consulted under this procedure fails to indicate his or her agreement or disagreement within five working days of despatch of the documentation then that Member shall be deemed to have disagreed with the proposed action.

Please return the attached copy of this form in the reply-paid envelope provided.

Yours sincerely



Director of Legal Services

**Please indicate whether you support the proposed action**

I support the Proposal(s)

I do NOT support the Proposal(s)

Signed

Signed

Date

Date

Comments

Comments

**HEADING:**

Initiating Officer: Abiodun Kolawole

Dept: Chief Executive (Legal Services Directorate)

Ext: 7663

Signature: *Abiodun Kolawole*

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**1. ACTION PROPOSED**

To amend para 1 a) of the Development Control Committee Resolution of 15<sup>th</sup> June 2005 in respect of The Timber Carriage Public House, 19 Northolt Road (item 1/01) to read as follows: "the submission and approval by the Local Planning Authority of an affordable Housing Scheme to provide 6 units on the ground floor of the building as shared ownership/key worker housing..."

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**2. CIRCUMSTANCES (INCLUDING POLICY CONTEXT)**

[Please continue on a separate sheet (if necessary)]

On 15<sup>th</sup> June 2005 the Development Control Committee considered a planning application in respect of The Timber Carriage Northolt Road for redevelopment to provide a detached 4 storey building with basement parking and 21 flats (including 6 affordable housing units). The Committee resolved to grant planning permission subject to the completion of a section 106 agreement within one year of the date of the Committee Decision.

The recommendation to the Committee stated that the affordable housing units would be "spread throughout the building." However, the proposal was always to provide the affordable housing units on the ground floor. The application plans clearly show that the six affordable housing units would be provided on the ground floor.

Officers have since the Committee's resolution realised that the recommendation that the affordable housing units would be "spread throughout the building" was misleading hence authority is now sought to amend the resolution to reflect that the affordable housing element of the development will be provided on the ground floor only.

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**3. REASONS FOR URGENCY** (including date of next possible Committee)

The next meeting of the Development Control Committee is on the 7<sup>th</sup> September 2005.

The applicant wishes to commence development as soon as possible and would like to complete the section 106 agreement so that the planning permission can be issued.

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**4. COMMENTS OF OTHER DEPARTMENTS** (including signature by or on behalf of Directors)

Finance Division

*There are no financial implications unless the Developer seeks advice from the Ombudsman.*

*[Signature]* 19.8.08

Legal Division

*As contained in the report*

Other Depts

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**5. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Is this form exempt from inspection by the public?  
If the answer is yes, specify grounds.

NO

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6. **SENT TO THE FOLLOWING GROUP REPRESENTATIVES** (PLEASE TICK APPROPRIATE BOXES)

\_\_\_\_\_ Committee

LABOUR

CONSERVATIVE

LIBERAL DEMOCRAT  
(except Overview & Scrutiny Committee)

\_\_\_\_\_ Committee

LABOUR

CONSERVATIVE

LIBERAL DEMOCRAT  
(except Overview & Scrutiny Committee)

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**REPORT OF DEVELOPMENT CONTROL COMMITTEE**

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**MEETING HELD ON 15 JUNE 2005**

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Chair: † Councillor Anne Whitehead

Councillors: † Marilyn Ashton † Choudhury  
‡ Mrs Bath † Idaikkadar  
‡ Billson † Kara (1)  
‡ Bluston † Miles  
‡ Branch (1) † Mrs Joyce Nickolay

\* Denotes Member present  
(1) Denotes category of Reserve Members

[Note: Councillor D Ashton also attended this meeting to speak on the item indicated at Minute 919 below].

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

**Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Thornton Councillor Janet Cowan	Councillor Branch Councillor Kara

**Right of Members to Speak:**

**RESOLVED:** That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who is not a member of the Committee, be allowed to speak on the agenda item indicated:

Councillor D Ashton - Planning Application 1/03

**Declarations of Interest:**

**RESOLVED:** To note the following declarations of Interest made by Members present relating to the business to be transacted at this meeting: -

(i) Planning Application 2/02 – Rima, 4 Priory Close, Stanmore  
Councillor Mrs Bath declared a prejudicial interest in the above application and accordingly left the room and took no part in the discussion or decision-making on this item.

(ii) Planning Application 4/01– Northwick Park Hospital, Watford Road, Harrow  
Councillor Anne Whitehead declared a prejudicial interest in the above application on the basis that she was an employee of the applicant. Accordingly she left the room and took no part in the discussion or decision-making on this item.

Councillor Bluston declared a personal interest in the above <sup>Hawins</sup> application on the basis that he was Chair of the Council's Health and Social Care Scrutiny Sub-Committee and the Joint Scrutiny Committee for Brent and Ealing on the new Northwick Park development. Accordingly he remained and took part in the discussion and decision-making on this item.

(iii) Main Agenda Item 16 – East End Farm Barns  
Councillor Bluston declared a prejudicial interest in the above item and accordingly left the room and took no part in the discussion or decision-making on this item.

**SECTION 1 – MAJOR APPLICATIONS**

<b>LIST NO:</b>	1/01	<b>APPLICATION NO:</b>	P/1108/05/CFU
<b>LOCATION:</b>	The Timber Carriage Public House, 19 Northolt Road, South Harrow		
<b>APPLICANT:</b>	Graham Seabrook Partnership for Clam-Worthy Holdings Ltd		
<b>PROPOSAL:</b>	Redevelopment: Detached 4 Storey Building with Basement Parking to Provide 21 Flats (6 as Affordable Housing).		
<b>DECISION:</b>	INFORM the applicant that:		
	(1) The proposal is acceptable subject to the completion of a legal agreement within 12 months (or such period as the Council may determine) of the date of the Committee decision on the application relating to:		
	a)	the submission and approval by the Local Planning Authority of an affordable housing scheme to provide 6 units <del>spread throughout the building as shared ownership/key worker housing.</del> The scheme shall include a nomination agreement with the Council.	
	b)	ensures that the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted to and approved by the Local Planning Authority prior to the commencement of work on the site.	
		All affordable housing units shall be provided in accordance with the definition of affordable housing set out in the deposit version of the replacement Harrow UDP.	
	(2) A formal decision notice, subject to the planning conditions noted below, will be issued only upon completion of the aforementioned legal agreement.		

<b>LIST NO:</b>	1/02	<b>APPLICATION NO:</b>	P/1023/05/CRE
<b>LOCATION:</b>	Eastern Part Former Government Buildings, Honeyport Lane, Stanmore		
<b>APPLICANT:</b>	PRP Architects for Dominion Housing Group		
<b>PROPOSAL:</b>	Renewal of Permission E/1061/99/OUT to allow Submission of Affordable Housing Reserved Matters by 29 June 07.		
<b>DECISION:</b>	GRANTED permission in accordance with the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following additional condition:		
	<u>Condition 3:</u> The development shall not be begun until an affordable housing scheme has been submitted to, and approved by, the Local Planning Authority. The scheme shall include a minimum of 50% of shared ownership/key worker housing, unless otherwise agreed by the Local Planning Authority. The scheme shall also include a nomination agreement with the Council.		
	[REASON: To ensure provision for appropriate affordable housing].		

<b>LIST NO:</b>	1/03	<b>APPLICATION NO:</b>	P/995/05/COU
<b>LOCATION:</b>	Land R/O 25-28 Belmont Circle & 13-25 Bellamy Drive, Stanmore		
<b>APPLICANT:</b>	Triad Planning 6 Design Ltd for Mr E Ryan		
<b>PROPOSAL:</b>	Outline: Redevelopment: Detached 2 Storey Building to Provide 10 Flats and 2 Houses with Car Parking.		

## SECTION 1 - MAJOR APPLICATIONS

1/01

THE TIMBER CARRIAGE P.H., 19 NORTHOLT RD, P/1108/05/CFU/TW  
SOUTH HARROW

Ward: HARROW ON THE HILL

REDEVELOPMENT: DETACHED 4 STOREY BUILDING WITH BASEMENT PARKING TO  
PROVIDE 21 FLATS (6 AS AFFORDABLE HOUSING)

GRAHAM SEABROOK PARTNERSHIP for CLAM-WORTHY HOLDINGS LTD

### RECOMMENDATION

Plan Nos: 1288-05A, 06A, 07A, 08A.

1. The proposal is acceptable subject to the completion of a legal agreement within 12 months (or such period as the Council may determine) of the date of the Committee decision on the application relating to:-
  - a) the submission and approval by the Local Planning Authority of an affordable housing scheme to provide 6 units spread throughout the building as shared ownership/key worker housing. The scheme shall include a nomination agreement with the Council.
  - b) ensures that the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted to and approved by the Local Planning Authority prior to the commencement of work on the site.

All affordable housing units shall be provided in accordance with the definition of affordable housing set out in the deposit version of the replacement Harrow UDP.

2. A formal decision notice, subject to the planning conditions noted below, will be issued only upon completion of the aforementioned legal agreement.

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit - Full Permission
- 2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
  - (a) the extension/building(s)
  - (b) the ground surfacing
  - (c) the boundary treatmentThe development shall be completed in accordance with the approved details and shall thereafter be retained.  
REASON: To safeguard the appearance of the locality.

Cont.

A 1/01 - F  
MAIN CONSIDERATION  
1.

- 3 Landscaping to be Approved  
4 Landscaping to be Implemented  
5 Disabled Access - Buildings  
6 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.  
The boundary treatment shall be completed:  
b: before the building(s) is/are occupied  
The development shall be completed in accordance with the approved details and shall thereafter be retained.  
REASON: To safeguard the amenity of neighbouring residents and the character of the locality.
- 7 Levels to be Approved  
8 The development hereby permitted shall not commence until a scheme for:-  
(a) The storage and disposal of refuse/waste has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.  
REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.
- 9 Water Storage Works

INFORMATIVES

- 1 Standard Informative 23 - Considerate Contractor Code of Practice  
2 Standard Informative 27 - Access for All  
3 Standard Informative 32 - The Party Wall etc. Act 1996  
4 Standard Informative 35 - CDM Regulations 1994  
5 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

- SD1 Quality of Design
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D15 Extensions and Alterations in Conservation Areas
- SH1 Housing Provision and Housing Need
- H5 Affordable Housing
- H6 Affordable Housing Target
- T13 Parking Standards

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## MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

1. Visual and Residential Amenity (SD1, D4, D5)
2. Character of Adjacent Conservation Area (D15)
3. Housing Policy (SH1, H5, H6)
4. Car Parking/Highway Considerations (T13)
5. Consultation Responses

## INFORMATION

The same proposal was submitted to the Council under reference P/2251/04/CFU, and was reported to Committee on 11th January 2005. In error the existing building was referred to as being locally listed and this was a principal issue of concern. In this light a fresh application for the same proposal was submitted.

### a) Summary

Conservation Area:	None	
Car Parking	Standard:	Max 29
	Justified:	27
	Provided:	27
No. of Residential Units:	21	
Council Interest:	None	

### b) Site Description

- large 2 storey public house with beer garden at rear on junction of Northolt Road Waldrons Yard.
- Abbots Court to south is a three storey block of residential flats (the third floor is contained within a mansard roof).
- Sherbourne House, Northolt Road to the south is a 4 storey office block with a flat roof including a plant room and telecommunications antennae.
- Dublin Court, to the north on the opposite side of Waldrons Yard, is a three storey building comprising shops on the ground floor, offices and 1 flat on the first floor and flats on the second floor (there is a current application for conversion to the offices to flats ref: P/1367/04/CFU).
- opposite the site on Northolt Road lies a vacant site formerly occupied by a petrol filling station and to the north of this lies Shaftesbury Avenue.
- planning permission has recently been granted for a 3 storey block of 12 flats nearby at 4 Waldrons Yard.

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**c) Proposal Details**

- redevelopment of site to provide a 4 storey block of 21 flats.
- building to front Northolt Road and Waldrons Yard with main entrance at the corner.
- building to be of modern design with flat roof incorporating balconies to Northolt Road, Waldrons Yard and rear elevation.
- rear amenity area of some 250m<sup>2</sup> between building and access ramp.
- basement car park for 27 vehicles.

**d) Relevant History**

P/1106/04/CFU	Redevelopment: detached 4 storey building with basement parking to provide 23 flats (7 affordable housing)	WITHDRAWN
P/2251/04/CFU	Redevelopment: detached 4 storey building with basement parking to provide 21 flats (6 affordable housing)	REFUSED 14-JAN-05

The reasons for refusal were as follows:

1. The loss of a most attractive locally listed building would be detrimental to the character of the area because the style and architectural merit of the Public House offers a respite from the otherwise unprepossessing modern buildings.
2. The loss of a community facility, with its potential to be used by local residents as a meeting place, would be detrimental to the amenities of the area.
3. The design of the proposed development will not preserve or enhance the character of this part of the nearby Conservation Area.

<b>e) Advertisement</b>	Major Development	Expiry 21-SEP-2004
Notifications	Sent 60	Replies 2
		Expiry 13-SEP-2004

**Summary of Responses:** Loss of community facility, lack of amenity space, loss of locally listed building suggest alternative use for building.

**APPRAISAL**

**1. Visual and Residential Amenity**

The proposed replacement building would be sited on a similar forward building line as Sherbourne House to the south and Dublin Court to the north and would relate to both in terms of its bulk and presence in the streetscene.

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The design has been substantially revised in comparison with the previously withdrawn application.

The main rear elevation of the proposed block would be 21m from the boundary of Abbots Court which is sufficient to maintain a suitable level of amenity.

## **2. Character of Adjacent Conservation Area**

The boundary of the Roxeth Hill Conservation Area runs along the boundary of the site with Waldrons Yard and wraps around the northern flank of Abbots Court. Whilst there is a different character outside the Conservation Area to within it, the site has an effect on the setting on the Conservation Area by virtue of its proximity. It is considered that the appearance of the proposal and its reduction in scale and impact at the rear, would preserve the character of this part of the Conservation Area.

## **3. Housing Policy**

The offer of an element of affordable housing complies relevant UDP policy and is considered acceptable.

## **4. Car Parking**

The provision of 1.35 spaces per unit is close to the maximum requirement and is considered acceptable. No concerns are raised with specific regard to the vehicular access or the level of traffic generated.

## **5. Consultation Response**

Awaited.

## **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, this application is recommended for grant.