

PLANNING COMMITTEE

MINUTES

13 APRIL 2016

Chair:	* Councillor Keith Ferry	
Councillors:	* June Baxter	* Pritesh Patel
	* Stephen Greek	* Mrs Christine Robson (2)
	* Graham Henson	* Sachin Shah (3)
In attendance: (Councillors)	Simon Brown	Minute 234
	Barry Macleod-Cullinane	Minute 234
	Graham Henson	Minute 234

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

227. Attendance by Reserve Members

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

Ordinary Member

Councillor Nitin Parekh
Councillor Anne Whitehead

Reserve Member

Councillor Sachin Shah
Councillor Mrs Christine Robson

228. 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 item indicated:

<u>Councillor</u>	<u>Planning Application</u>
Simon Brown	1/04, 2/03
Barry Macleod-Cullinane	1/05
Graham Henson	2/04

229. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – Planning Applications Received (item 1/04)

Councillor Stephen Greek declared a non-pecuniary interest in that he was a Local Authority appointed governor at Weald Rise Primary School. As this was a potential conflict of interest, he would leave the room whilst the matter was considered and voted upon.

230. Minutes

RESOLVED: That the minutes of the meeting held on 16 March 2016 be taken as read and signed as a correct record, subject to the following amendments:

1. Paragraph 13 on page 191 to read:

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

2. The final paragraph on page 192 to read:

(Signed) Councillor Anne Whitehead
Vice-Chair in the Chair

231. Public Questions, Petitions & Deputations

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

232. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

RESOLVED ITEMS

233. 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 1/02 and 1/05 on the list of planning applications.

234. 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 Head of Planning to issue the decision notices in respect of the applications considered.

1/01 – 62-64 KENTON ROAD, HARROW

REFERENCE: P/0525/16 (SAV DEVELOPMENTS LTD)

DESCRIPTION: Redevelopment To Provide A Four Storey Building With Basement For A Thirty-Three Roomed House Of Multiple Occupation (HMO) With Front And Rear Light Wells Amenity Space Parking Landscaping And Bin / Cycle Storage

Following questions from Members, an officer advised that the disabled access rooms planned for the ground floor met the required standards in terms of size.

DECISION: **GRANTED**, permission for the development described in the application and submitted plans, subject to conditions and no significant number of representations material to planning consideration being received by 28th April 2016.

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

1/02 – 11-17 HINDES ROAD, HARROW

REFERENCE: P/4225/15 (YOURLIFE MANAGEMENT SERVICES LTD)

DESCRIPTION: Redevelopment To Provide A Three And Four Storey Building For Twenty-Nine Retirement Living (Category Ii Sheltered Housing) Apartments For The Elderly; Parking; Private And Communal Amenity Space, Landscaping; Bin Storage

Following questions from Members, an officer advised that:

- the application complied with one of the four criteria required under Policy DM47A of the Harrow Development Management Policies Local Plan (2013) and met two of the other criteria in part, where the minimum requirement was compliance with one of the criteria;

- the Council did not have say over whether the proposed units, once built would be rented or sold, however, it was his understanding that the units would be sold;
- there was a complex process of testing what the appropriate contribution towards affordable housing as a financial contribution should be. The council had instructed independent assessors to review the amount proposed and the level quoted in the report was deemed by officers to be appropriate. Financial contributions towards affordable housing could be pooled in order to provide new units.

A Member proposed refusal on the following grounds:

1. the applicant has failed to justify the loss of D1 education floorspace, contrary to policies DM47 of the Local Plan and 3.18 of the London Plan;
2. the proposal, by reason of excessive height, scale and bulk and a lack of off-street parking, would have an unacceptable impact on local amenity and character, contrary to policies DM1 and DM43 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.

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

The Committee received representations from an objector, Mr Watson and a representative of the applicant, Mr Cooper.

DECISION: GRANTED, planning permission for the development set out in the application and submitted plans subject to Conditions set out at the end of this report and as amended by the addendum:

- The completion of a Section 106 agreement with the heads of terms set out below (subject to further negotiation and agreement);
- 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 agreement and to agree any minor amendments to the conditions or the legal agreement.

Legal Agreement Heads of Terms

- a) A Financial Obligation of £216,750 towards off-site Affordable Housing contribution;
- b) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

Recommendation B

That if, by 17th August 2016, or such extended period as may be agreed in writing by the Divisional Director of Planning and Regeneration in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation

is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the following reason:

The proposed development, in the absence of a legal agreement to provide appropriate level of affordable housing on site provision that directly relates to the development, would fail to comply with the requirements of policies 3.11 and 3.12 of The London Plan 2015 and policy CS1.J of the Harrow Core Strategy 2012, which seeks to maximise the provision of affordable housing delivery within the borough.

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

Councillors Keith Ferry, Graham Henson, Mrs Christine Robson and Sachin Shah voted for the application.

Councillors June Baxter, Stephen Greek and Pritesh Patel voted against the application.

1/03 – DUCKER FIELD, HARROW SCHOOL

REFERENCE: P/4655/15 (HARROW SCHOOL)

DESCRIPTION: Installation Of Drainage System And Associated Engineering Works

Following questions from Members, officers advised that:

- officers from the London Borough of Brent had carried out a site visit and expressed concerns regarding potential flood risks. The applicant had subsequently amended the plan. Harrow drainage engineers were satisfied with the plans and no subsequent comments had been received from Brent.

The Chair advised that the Highways Authorities of both Brent and Harrow jointly in consultation with the Environment Agency and the school would be responsible for dealing with any possible flooding along the Watford Road as a result of the application. He added that, the Planning Committee was responsible for consideration of the planning merits of an application, and could not, therefore, be held responsible for any possible flood that might occur in the future following the granting of the application.

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

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

1/04 – WEALD RISE PRIMARY SCHOOL, ROBIN HOOD DRIVE, HARROW

REFERENCE: P/5914/15 (EDUCATION FUNDING AGENCY (EFA))

DESCRIPTION: Demolition Of Existing School Building And Re-Development Of Entire School Site To Provide A Single And Two Storey Building; Car Parking; Hard And Soft Play Areas; Landscaping; Internal/External Fencing. (To Increase School From A Three Form Of Entry To A Four Form Of Entry School)

Following questions from Members, officers advised that a large number of objections from the parents of children at the school had been received. Highways officers were investigating the complaints and would be working with parents, local residents and the school to address these. The school had in place a travel plan which would help to mitigate against any potential increase in traffic congestion and parking issues once the build was complete.

A Member of the Committee advised that the Council was no longer permitted to use CCTV to monitor parking infringements at double yellow lines and issues of dangerous parking were a police matter and not within the remit of the Council's Enforcement Team.

The Committee received a representation from Councillor Simon Brown.

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

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

Councillor Stephen Greek did not participate in the discussion or voting on this item.

1/05 – CYGNET HOSPITAL HARROW, 87 LONDON ROAD, HARROW

REFERENCE: P/5518/15 (MR TOM WILSON)

DESCRIPTION: Two Storey Side Extensions To Both Sides; Single And Two Storey Link Extension; Creation Of Rear Courtyard Enclosure; Additional Car Parking Cycle Storage And Landscaping; External Alterations

Following questions from Members, officers advised that:

- the Highways Authority had recommended that the vehicle crossover on the access road be reconstructed and adequate lighting be installed there prior to the commencement of works. The applicant had agreed to this and this was set out in detail in condition 7;
- condition 5 covered the requirement for the applicant to provide a Construction Method Statement. The Statement would set out a

detailed timeline for the phases and implementation of the development;

- it would not be possible to impose a condition requiring the applicant to undertake a structural survey of the access road or to control the access of heavy goods vehicles to the site;
- the amenity of neighbouring properties was covered by the Construction Method Statement. The private interests of neighbouring properties with regard to structural integrity was not covered by Planning legislation but was covered by separate legislation.

The Chair advised that it was not possible to determine an application on the basis of access and construction issues as these were not covered by Planning legislation.

A Member proposed refusal on the following grounds:

1. The proposed development, by reason of inadequate arrangements for servicing and construction, fails to safeguard the amenity and safety of neighbouring properties, contrary to policies DM1, DM43 and DM44 of the Local Plan, CS1 of the Core Strategy and 7.4 and 7.6 of the London Plan.

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

The Committee received representations from an objector, Ms Ransom and a representative of the applicant, Mr Bracken and Councillor Barry Macleod-Cullinane.

DECISION: GRANTED, planning permission for the development set out in the application and submitted plans subject to conditions and no significant number of representations material to planning consideration being received by 28th April 2016 and as amended by the addendum.

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

Councillors Keith Ferry, Graham Henson, and Sachin Shah voted for the application. The Chair used his casting vote.

Councillor Mrs Christine Robson abstained from voting.

Councillors June Baxter, Stephen Greek and Pritesh Patel voted against the application.

2/01 – 46 PINNER PARK GARDENS, HARROW

REFERENCE: P/0578/16 (MR & MRS K JOSHI)

DESCRIPTION: Single Storey Front Extension; Conversion Of Garage To Habitable Room; Single Storey Rear Extension; Rear Dormer; External Alterations

DECISION: GRANTED, planning permission for the development described in the application and submitted plans and subject to conditions.

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

2/02 – 342 STATION ROAD, HARROW

REFERENCE: P/5067/15 (MISS FIONA BROWNFOOT)

DESCRIPTION: CHANGE OF USE OF GROUND FLOOR FROM A1 (RETAIL) TO A3 (RESTAURANT)

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

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

2/03 – GARAGES ADJACENT TO 1 ALLERFORD COURT, HARROW

REFERENCE: P/5839/15 (HARROW COUNCIL)

DESCRIPTION: Redevelopment To Provide Two X Two Story Dwellinghouses (Demolition Of Single Story Garage Block)

A Member proposed refusal on the following grounds:

1. The proposed development would harm the amenity of neighbouring properties, contrary to policies 7.4 and 7.6 of the London Plan, CS1 of the Core Strategy and DM1 and DM43 of the Local Plan.

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

The Committee received a representation from Councillor Simon Brown.

DECISION: GRANTED, planning permission for the proposal submitted in the application and associated plans subject to conditions.

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

Councillors Keith Ferry, Graham Henson, Christine Robson and Sachin Shah voted for the application.

Councillors June Baxter, Stephen Greek and Pritesh Patel voted against the application.

2/04 – GARAGES ADJACENT 7 STUART AVENUE, HARROW

REFERENCE: P/5789/15 (HARROW COUNCIL)

DESCRIPTION: Redevelopment To Provide Six No. 2-Storey Terraced Dwellings With Solar Panels; Amenity Space Parking Landscaping And Bin / Cycle Storage (Demolition Of Garages)

Following comments from Members, an officer advised that it would be possible to add a condition requiring the applicant to submit a Construction Method Statement. He added that although the Council's housing Department and Highways Authority were in discussions about the re-provision of parking spaces along Stuart Avenue and widening the access way, officers from Highways did not consider completion of these works should be a pre-requisite to granting planning permission.

DECISION: GRANTED, planning permission for the proposal submitted in the application and associated plans subject to conditions, and the following additional condition agreed at Committee:

Notwithstanding the information submitted, no development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a) detailed timeline for the phases and implementation of the development;
- b) demolition method statement;
- c) the parking of vehicles of site operatives and visitors;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) measures to control the emission of dust and dirt during construction; and
- g) scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

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

Councillor Graham Henson back benched on this item and did not participate in the discussion or voting on it.

235. Tree Preservation Order No. 955 Old Hall Drive (No.2) Pinner

The Committee received a report of the Divisional Director of Planning Services which set out an objection to a Tree Preservation Order No 955.

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

- although subsidence to the dwelling house on the site had been identified, no evidence had been submitted to show that this subsidence had been caused by the tree;
- a topographical and construction survey could be undertaken by the applicant who had submitted plans for a replacement dwelling at the site, to ascertain whether the subsidence had been caused by the tree;
- the making of a Tree Preservation Order (TPO) did not preclude the landowner from removing the tree in the future, but would require the landowner to make a TPO application with justification to demonstrate why the tree should be removed.

RESOLVED: That TPO No. 955 Old Hall Drive (No.2) Pinner, notwithstanding the objections, be confirmed.

Reason for Decision: The Pine at Old Hall Drive is considered to have significant visual public amenity value and as such should be properly safeguarded. If this TPO is not confirmed within 6 months of 19/01/2016, the statutory protection afforded to the aforementioned tree will be lost.

236. 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 8.17 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair