

# PLANNING COMMITTEE

## MINUTES

### 18 JANUARY 2017

<b>Chair:</b>	* Councillor Keith Ferry	
<b>Councillors:</b>	* June Baxter	* Barry Kendler
	* Simon Brown (4)	* Pritesh Patel
	* Stephen Greek	* Anne Whitehead
<b>In attendance: (Councillors)</b>	Marilyn Ashton	Minute 351
	Susan Hall	Minute 354, 355
	Ameet Jogia	Minute 351
	Jean Lammiman	Minute 354, 355

- \* Denotes Member present  
(4) Denotes category of Reserve Members

#### 341. Attendance by Reserve Members

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

Ordinary Member

Councillor Christine Robson

Reserve Member

Councillor Simon Brown

#### 342. 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>
Marilyn Ashton	1/02
Susan Hall	2/03, 2/04
Ameet Jogia	1/02
Jean Lammiman	2/03, 2/04

### **343. Declarations of Interest**

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

Agenda Item 10 – Planning Applications Received: item 3/01

Councillor Barry Kendler declared a non-pecuniary interest in that he was the local authority appointed governor at Harrow High School. He would remain in the room whilst the matter was considered and voted upon.

All Agenda Items

Councillor Barry Kendler declared a non-pecuniary interest in that he was the Chair of the Traffic & Road Safety Advisory Panel. He would remain in the room whilst the matters were considered and voted upon.

Councillor Anne Whitehead declared a non-pecuniary interest in that she was the Vice Chair of the Traffic & Road Safety Advisory Panel. She would remain in the room whilst the matters were considered and voted upon.

### **344. Minutes**

**RESOLVED:** That the minutes of the meeting held on 14 December 2016 be taken as read and signed as a correct record, subject to the following amendment to Minute 332, paragraph 5:

Agenda Item 10 – Planning Application Received (items 2/03 & 2/04)

Councillor Pritesh Patel declared a non-pecuniary interest in that his daughter attended Avanti House School. He would remain in the room whilst the matter was considered and voted upon.

### **345. Public Questions \***

**RESOLVED:** To note that one public question had been received and responded to and in line with the statement made by the Chairman, the recording had been placed on the website.

### **346. Petitions**

**RESOLVED:** To note the receipt of the following 2 petitions, which was referred to the Corporate Director, Community, for noting:

Petition from Harrow Civic Residents' Association and St Jerome's Bilingual School, containing 155 signatures, with the following terms of reference:

We, residents of Woodlands Road and neighbouring streets, Rosslyn Crescent and Frogna Avenue, strongly object to planning application 4444/16 on the grounds that:

1. The building is overbearing and inappropriate rising to 4-storeys next to 2-storey houses with serious concerns over privacy to neighbouring properties and St. Jerome Church of England Bilingual School.
2. Parking provision is wholly inadequate and will result in serious problems to Woodlands Road and surrounding streets.
3. Woodlands Road is a cul-de-sac with an old people's home at one end and 54 recently completed flats at the top. We are now at capacity in terms of amounts of people, traffic and noise – the building of this HMO will take our little community road beyond the limits that it can bear.

We, the undersigned, sincerely appeal to councillors to reject this application at your planning meeting on Wednesday 18 January.

### **347. Deputations**

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

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

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

### **349. 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 items 1/01, 1/02, 2/03, 2/04 on the list of planning applications.

### **350. 1-01:16 Kirkfield House, Station Road - P-4444/16**

#### **PROPOSAL:**

Redevelopment to provide a part three and part four storey building for a thirty two bedroom House of Multiple Occupancy (HMO), Landscaping and Bin/Cycle Storage.

Following questions from Members, officers advised that:

- the current proposal would result in the loss of 16 parking spaces, bringing the total number of parking spaces at the application site to 17. The development was located in a parking restricted zone and residents at the development would not be eligible to apply for parking permits. Two traffic surveys had been undertaken, which had indicated that there was unused on-street parking capacity in surrounding streets;
- it was standard practice to carry out traffic surveys late in the evenings as it was easier to determine where local residents normally parked;
- officers considered that there would be sufficient space between the proposed development and St Jerome's School and neighbouring dwelling, and the levels of overlooking would not be unreasonable. As the school was not a habitation, and was located in an urban area the levels of overlooking were deemed acceptable. However, It would be possible to insert an additional condition that required windows at the proposed development to be obscured;
- condition 4 required the submission of a Management Strategy for approval by the Local Planning Authority;
- crime and safety concerns would be addressed by condition 10, which required the developer to follow the design principles set out in the relevant Design Guides on the Secured by Design website. Safeguarding issues relating to children at the school fell outside the remit of the Planning Committee.

The Chair reminded Members that Kirkfield House had been converted from office to residential use under permitted development rights and had prior approval.

A Member proposed refusal on the following grounds:

'The proposal is an overdevelopment, which will harm the amenities of neighbouring residents, businesses and the adjacent school, by reason of excessive height, scale, bulk and lack of parking, contrary to policies DM1 and DM42 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 Chair used his casting vote.

A Member proposed a motion that:

1. obscured glazing be implemented in any windows that would overlook the school and adjacent properties;
2. the Management Strategy be circulated to Members of the Planning Committee for comment prior to agreement. If any Member of the Committee deemed it to be unsuitable, then the Management Strategy

would be submitted at a future Planning Committee meeting for approval.

The Committee received representations from two objectors, Mr Hillman and Mr Morsley, and from Mr Stern, a representative of the applicant.

## **DECISION: GRANTED**

### **RECOMMENDATION A**

2) planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of

Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and

subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) or the legal agreement and as amended by the Addendum;

3) obscured glazing be implemented in any windows that would overlook the school and adjacent properties;

4) the Management Strategy be circulated to Members of the Planning Committee for comment prior to agreement. In the event that any Member of the Committee deemed it to be unsuitable, then the Management Strategy be submitted at a future Planning Committee meeting for approval.

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 17th May 2017, or as such

extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then

it is recommended to delegate the decision to REFUSE planning permission to the

Divisional Director of Regeneration, Enterprise and Planning.

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

*Councillors Simon Brown, Keith Ferry and Anne Whitehead voted for the application. The Chair used his casting vote.*

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

*Councillor Barry Kendler abstained from voting.*

### **351. 1-02: JUBILEE HOUSE - P/1320/16**

#### **PROPOSAL:**

Demolition of existing office building and two pairs of (four) semi-detached houses and comprehensive redevelopment of the site to provide a mixed use development of 102 residential assisted/independent living units (Class C2) within a building of five to eight storeys and 70 residential units (Class C3) within a building of three to six storeys; with associated landscaping, basement and surface level parking; new vehicle access from Merrion Avenue

Following questions from Members, officers advised that:

- officers would discuss further the issue of Event Day parking with colleagues in Highways. The development would not add to the current on-street parking levels as it was located within a high PTAL (Public Transport Accessibility Level), within a Controlled Parking Zone (CPZ) and residents would not be eligible for parking permits;
- officers would work with the developers to encourage modal shift among residents and their visitors, particularly during event days at Wembley;
- blue badge holders were permitted to park in CPZ's for up to three hours;
- in the revised application, the height of the C2 block had been reduced, however, the height of the C3 block, which would overlook the southern side of Merrion Avenue, would remain the same.

A Member proposed refusal on the following grounds:

'The proposed application is an overdevelopment, with excessive height, scale, bulk and insufficient parking. It would therefore cause harm to local character and amenity, including the nearby Kerry Avenue Conservation Area, contrary to policies DM1, DM7 and DM42 of the Local Plan, CS1 and CS7 of the Core Strategy, and 7.4, 7.6 and 7.8 of the London Plan.'

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

A Member proposed a motion that the reference to Tottenham Hotspur in conditions be removed and replaced with 'in line with Brent Council's Event Day Policy'.

The Committee received representations from an objector, Mr Pereira, Mr Morris, a representative of the applicant and Councillors Marilyn Ashton and Ameet Jogia.

#### **DECISION: GRANTED**

1. reference to Tottenham Hotspur in conditions be removed and replaced with 'in line with Brent Council's Event Day Policy;
2. refer the application to the Mayor of London (the GLA) as a Stage 2 referral; and
3. subject to the Mayor of London (or delegated authorised officer) advising that he is content to allow the Council to determine the application and does not wish to direct refusal, or to issue a direction under Article 7 that he does not wish to direct refusal, or to issue a direction under Article 7 that he is to act as the local planning authority for the purposes of determining the application, delegate authority to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the continued negotiation and completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement, 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 Simon Brown, Keith Ferry, Barry Kendler and Anne Whitehead voted for the application.*

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

**352. 2-01: 15 St Edmunds Drive - P-5147/16**

**PROPOSAL:**

Single Storey Side Extension; Conversion Of Garage To Room

**DECISION: GRANTED**, planning permission subject to the Conditions listed in Appendix 1 of the officer report.

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

**353. 2-02: 51 Birchmead Avenue - P-5228/16**

**PROPOSAL:**

Extension and conversion of detached garage to granny annexe for use ancillary to main dwelling

**DECISION: GRANTED**

## RECOMMENDATION A

i) planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the officer report) or the legal agreement and as amended by the Addendum;

ii) The occupation of the bungalow the subject of the Planning Application shall remain in ancillary use to the existing dwellinghouse on the Land and that neither shall be disposed of nor let separately from each other;

ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## RECOMMENDATION B

That if the Section 106 Agreement is not completed by 18<sup>th</sup> April 2017, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Regeneration, Enterprise and Planning.

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

### 354. 2-03: 39 The Avenue, Hatch End - P-5032/16

#### PROPOSAL:

Two storey side to rear extension to dwellinghouse.

A Member proposed refusal on the following grounds:

'The proposal, by reason of excessive bulk, scale and massing, would harm the character of the area and the amenity of neighbouring occupiers, contrary to policies DM1 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 Ramady and Councillors Susan Hall and Jean Lammiman. The applicant did not attend.

**DECISION: GRANTED**, planning permission subject to the Conditions listed in Appendix 1 of the officer report



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

*Councillors Simon Brown, Keith Ferry, Barry Kendler and Anne Whitehead voted for the application.*

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

**355. 2-04: 30 Park View - P-4801/16**

**PROPOSAL:** Demolition of existing garage attached to the side of no. 30 Park View and erection of a detached two-storey 3 bedroom dwelling on the land to the side of the existing dwelling; new vehicle access; parking and landscaping; refuse and cycle storage; relocation of existing vehicle access and external alterations to no. 30.

Following questions from Members, officers advised that:

- the site of the proposed new house was adjacent to the existing house at No. 30 Park View. The site had therefore been assessed against Harrow's Garden Land Supplementary Planning Document (SPD), which stated that new development in land that is considered to be the garden of an existing house would not be acceptable. However, paragraph 3.10 of this SPD stated that exceptions could be made for 'gap sites within a built up street frontage;
- although the Planning Officer who had helped to write the SPD was no longer working at the Council, he had been involved in the pre-application process and had been of the view that this site was a Gap site.

Members were of the view that whether the site constituted a Gap site or not was open to interpretation and the Corsican Pine tree located just outside the site should be protected as a significant public amenity.

A Member proposed refusal on the following grounds:

1. The proposal is an overdevelopment that would harm the character of the area and the amenity of neighbouring occupiers, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan;
2. The proposal would constitute an unacceptable loss of garden land, contrary to policies CS1 of the Core Strategy and 3.5 of the London Plan.

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

The Committee received representations from an objector, Mr Magan, Mr Lam, a representative of the applicant and Councillors Susan Hall and Jean Lammiman.

**DECISION: REFUSED**

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

**356. 3-01: Harrow High School - P-4368/16**

**PROPOSAL:** Replacement and installation of new windows to elevations fronting Gayton Road and Sheepcote Road.

The Committee was of the view that the applicant had the option of replacing the current windows with like for like timber sash windows. It also acknowledged that although these would be more costly than the aluminium ones proposed in the application, timber sash would be preferable as aluminium windows would fail to preserve or enhance the character and appearance of a locally listed building.

The Committee agreed that if the applicant wished to submit a subsequent, amended application for the installation of timber sash windows instead, then the planning fee should be waived on this occasion.

**DECISION: REFUSED**

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

*Councillors June Baxter, Simon Brown, Keith Ferry, Stephen Greek, Pritesh Patel and Anne Whitehead voted against the application.*

*Councillors Barry Kendler voted for the application.*

**357. 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 9.46 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair