

PLANNING COMMITTEE

MINUTES

26 SEPTEMBER 2018

Chair: * Councillor Keith Ferry

Councillors: * Ghazanfar Ali * Anjana Patel
* Stephen Greek * Kiran Ramchandani (4)
* Ajay Maru (2) * Bharat Thakker

* Denotes Member present
(2) and (4) Denotes category of Reserve Members

76. Attendance by Reserve Members

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

Ordinary Member

Councillor Kiran Ramchandani
Councillor Ajay Maru

Reserve Member

Councillor Graham Henson
Councillor Christine Robson

77. 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.

78. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 12 – Other Applications Recommended for Grant (2/08)

Councillor Keith Ferry declared a non-pecuniary interest in that in his capacity as the Portfolio Holder for Regeneration, Planning and Employment, he had responsibility for land owned by the Council. He would leave the room whilst the matter was considered and voted upon.

79. Minutes

RESOLVED: That the minutes of the meeting held on 5 September 2018 be taken as read and signed as a correct record, subject to the following amendments:

Page 33, Minute 72, Minute 73 & Minute 75 to read: This item was deferred.

80. Public Questions & Deputations

RESOLVED: To note that none were received.

81. Petitions

RESOLVED: To note the receipt of the following petition which was referred to the Corporate Director, Community for consideration:

An petition containing over 2000 signatures, with the following terms of reference:

‘The biggest ever regeneration program in Harrow borough for a generation, featuring around 1,000 new homes including 400 affordable homes will be built at the current location of Harrow Civic Centre.

We are concerned about the loss of parking spaces for local business, residents and emergency services due to regeneration proposal of the Harrow Civic Centre site.

We urge the Council, Gareth Thomas, Harrow Councillors and Mayor of London to ensure that there are sufficient parking spaces for local businesses, residents in the vicinity of the Civic Centre, Wealdstone and Harrow Central Mosque.’

RESOLVED ITEMS

82. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

83. Addendum

RESOLVED: To accept both Addendums.

84. 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 2/02, 2/07 & 2/08 on the list of planning applications.

85. 1/01: Wolstenholme, Rectory Lane, Stanmore, HA7 4AQ - P/5758/17

PROPOSAL: Redevelopment to provide 2 x 3 storey buildings (one with a lower ground level) comprising of 59 Extra care home flats (Use Class C3) including communal lounge and ancillary offices; cycle, refuse and electronic buggy stores; 16 car parking spaces (demolition of existing buildings)

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

DECISION: GRANTED, planning permission subject to, expiry of the advertisement for departure of development plan and authority being delegated to the Interim Chief Planning Officer 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 Addendums.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 14th January 2019, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer.

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

86. 1/02: 55-59 Palmerston Road - P/2555/18

PROPOSAL: Demolition of existing buildings and redevelopment of the site to provide a part 9, part 8 and part 5 storey building comprising of offices (Use class B1a/B1c), café/restaurant (Use class A3) and co-living accommodation consisting of 222 units (Sui Generis); parking; bin and cycle stores; sub station

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

- there was a proposal for a car club bay associated with the proposed development adjacent the application site;
- a Framework Travel Plan had been submitted with the application to minimise the number of car trips generated by the development while

encouraging sustainable forms of travel. The proposal was situated within a PTAL 5 which was considered suitable for a car-free development and ideal for encouraging sustainable travel. New walking and cycling routes were being implemented in the area. The existing CPZ had recently been amended to operate between 7.00 am to midnight. As the development would be permit restricted, residents would therefore be aware that car-ownership was not a viable option in the area. With regard to the Commercial units, these were likely to be used mainly by local residents;

- the daylight and sunlight report submitted by the applicant, had been assessed by an independent consultant and was considered acceptable. Any loss of light would be minimal and would mostly affect a small number of east facing units,
- amenity space would be provided in the form of roof terrace gardens. there would be a new residential relationship created with the proposed terraces and the adjoining properties to the south (fronting Masons avenue). However, a separation distance of some 25m would be retained between the proposed terrace (rear of the building) and the rear elevations of the terraced properties along Masons Avenue. Officers considered that this separation distance would be satisfactory to mitigate against an unduly harmful perception of overlooking or loss of privacy. There were balconies proposed on the proposed east and west facing elevations of the application site. However, the proposed balconies on the western elevation would face the east facing elevation of the origin scheme (which in itself features balconies to the flats facing the application site). The overlooking relationship would therefore be neutral in this regard;
- the proposal had been assessed by the Design Review Panel. Origin Housing had been made aware that the windows would not be protected and planning permission for its development could not prejudice any future developments in the vicinity of the Origin Housing site;
- the dwellings would be targeted at key workers and the Financial Viability Assessment submitted by the applicant had been independently verified.

A Member proposed refusal on the following grounds:

‘The proposal is an overdevelopment, with excessive scale, height and bulk, to the detriment of local character and amenity, 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 resolved to approve the officer recommendations.

RECOMMENDATION A

DECISION: GRANTED, planning permission subject to authority being delegated to the Interim Chief Planning Officer 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 Addendums.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 21st December 2018, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer.

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

Councillors Ghazanfar Ali, Keith Ferry, Ajay Maru & Kiran Ramchandani voted for the application.

Councillors Stephen Greek, Anjana Patel & Bharat Thakker voted against the application.

87. 2/01: Harrow College, Brookshill, Harrow Weald - P/2948/18

PROPOSAL: Two storey extension to North and West Elevation of Newton building; external alterations (part demolition of Newton building and storage areas)

The Committee resolved to approve the officer recommendations.

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.

88. 2/02: 404 Kenton Lane - P/2854/18

PROPOSAL: Redevelopment to provide four storey building comprising of mixed use commercial unit on ground floor front area (Use classes A1/A2/D1) and 7 (1 and 2 bedroom) flats; parking; bin and cycle stores

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

- officers considered the separation distance of approximately 45-50m between the development and neighbouring properties was sufficient to prevent any significant overlooking and to mitigate any loss of light or

overbearing impact on the occupiers at 53 York Avenue and the other neighbouring dwellings on York Avenue;

- proposed parking provision at the site was within London Plan requirements;
- refuse bins located in the rear parking area would be accessed by the existing service road at the side of the development;
- there was no single dominant style of building in the area. The materials used to construct the façade would be in keeping with the local context.

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

A Member proposed refusal on the following grounds:

‘The proposal, by reason of excessive scale, bulk and height, poor design and insufficient parking, would harm local character and amenity, 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 resolved to approve the officer recommendations.

DECISION: GRANTED, Grant planning permission subject to the conditions (set out 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 Ghazanfar Ali, Keith Ferry, Ajay Maru & Kiran Ramchandani voted for the application.

Councillors Stephen Greek, Anjana Patel & Bharat Thakker voted against the application.

89. 2/03: 77 Pinner Park Avenue - P/3424/18

PROPOSAL: Single storey front/side/rear extension

The Committee resolved to approve the officer recommendations.

DECISION: GRANTED, planning permission subject to the Conditions listed in Appendix 1 of the officer report, and as amended by the Addendums.

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

90. 2/04: Glengariff, 59 Moss Lane - P/2527/18

PROPOSAL: Conversion of residential home into four flats; external alterations; parking (demolition of single storey side extension staircase and lift shaft)

A Member proposed refusal on the following grounds:

'This proposal would cause significant harm to the Moss Lane Conservation area, as well as local character and amenity, contrary to policies DM1 and DM7 of the Local Plan, CS1 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.

The Committee resolved to approve the officer recommendations.

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 Ghazanfar Ali, Keith Ferry, Ajay Maru & Kiran Ramchandani voted for the application.

Councillors Stephen Greek, Anjana Patel & Bharat Thakker voted against the application.

91. 2/05: 9 Ainsdale Crescent - P/4743/17

PROPOSAL: Change of use from residential (class c3) to care home (class c2)

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

- given the public benefits of the proposed development, legal advice sought had indicated that it would be possible to grant planning permission for a period of 2 years, in the first instance;
- the granting of a licence for the premises, which was a separate process, was not dependent on the application receiving planning permission.

A Member proposed that, if granted, the approval be limited to a period of two years in order to assess the impact of the development on the area. The motion put to the vote and was agreed unanimously.

The Committee resolved to approve the officer recommendations.

DECISION: GRANTED, planning permission, for a period of two years, 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.

92. 2/06: 1a Cunningham Park - P/3108/18

PROPOSAL: Demolition of existing dwellinghouse and erection of new building comprising 2 x 3 bedrooms and 7 x 2 bedroom flats; *Amenity space; Parking; Cycle and Refuse Storage; New vehicle access*

Following questions and comments from Members, an officer advised that there were some key changes to the current scheme in relation to the previously refused scheme. The current scheme was on a reduced scale though its overall footprint remained the same.

A Member proposed refusal on the following grounds:

The proposed development, by reason of excessive scale, bulk and intensity, would harm local character and amenity, 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 resolved to approve the officer recommendations.

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 Ghazanfar Ali, Keith Ferry, Ajay Maru & Kiran Ramchandani voted for the application.

Councillors Stephen Greek, Anjana Patel & Bharat Thakker voted against the application.

93. 2/07: 60 Cedar Drive - P/1133/18

PROPOSAL: Application for conversion of dwellinghouse into four flats; conversion of garage into habitable room; alterations to roof to raise ridge height; external alterations; bin & cycle store. The proposed flats consist of 2 no. 1-bed/2- person flats, 1 no. 2-bed/3-person flat and 1 no. 2-bed/4-person flat.

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

A Member proposed refusal on the following grounds:

'The proposal is an overdevelopment, with excessive scale, height and bulk, to the detriment of local character and amenity, 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 won.

The Committee resolved to refuse the application.

DECISION: REFUSED, planning permission, for the following reason:

‘The proposal is an overdevelopment, with excessive scale, height and bulk, to the detriment of local character and amenity, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.’

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

Councillors Ghazanfar Ali, Stephen Greek, Ajay Maru, Anjana Patel, Kiran Ramchandani & Bharat Thakker voted to refuse the application.

Councillor Keith Ferry voted against the motion for refusal.

94. 2/08: Roger Bannister Sports Centre, Uxbridge Road

PROPOSAL: Creation of an 18 Hole Golf Adventure Experience Facility Including Theme Props and Ancillary Kiosk; Refuse Storage in Car Park Area

Councillor Keith Ferry left the room during consideration of this item. Councillor Ghazanfar Ali acted as Chair.

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

- the dinosaur and other props which were proposed as part of the development could not be deemed to be structures. The applicant considered the props to be integral to the themed nature of the proposed development. Officers were of the view that the staggered siting props and installations would not significantly affect the openness of the Green Belt and were not deemed to be harmful enough to warrant refusing the application;
- where development is deemed to be inappropriate, and no exclusions can be applied, the development should be refused, unless very special circumstances (VSC) exist to support such development. Paragraph 144 states that ‘very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations’;
- the established use of the overall site fell within the broad description of a ‘leisure facility’, to which the application proposed alterations and, on this basis, it could be argued that the development represented an

appropriate exception to the over-arching advice and policies pertaining to the Green Belt;

- there was no prescribed list of what might constitute VSC. It may be that a single aspect of the proposal may itself be a VSC sufficient to justify development or it may be that a number of circumstances may cumulatively amount to VSC. Therefore access to sport and leisure facilities could be considered to be VSC;
- the Community Use Agreement (which was covered by the Unilateral Undertaking) would allow any school in the Borough to use the facilities and details would be discussed as part of the Unilateral Undertaking;
- the site was subject to informal overspill parking arrangements on event days at Bannisters Sports Centre. The formalisation of parking at new site would alleviate current parking issues at the site on event days. The parking area would not be made of concrete or tarmac and conditions regarding materials to be used would be added.

The Committee received representations from an objector, Mr Stoker and from a representative of the applicant, Ms Foreman.

A Member proposed refusal on the following grounds:

1. 'The site is within the Green Belt where there is a presumption against inappropriate development. The Council does not consider that very special circumstances have been demonstrated that outweigh the harm caused to the openness and character of the Green Belt and the potential visual and ecological impacts of the scheme have not been fully assessed, as such the proposal is considered contrary to Policies CS1 R of the Core Strategy, DM16, DM17, DM18 and DM21 of the Development Management Policies Document, 7.16 of the London Plan and the NPPF.
2. The proposal would have an unacceptable impact on existing mature public trees, contrary to policies DM20, DM21 and DM22 of the Local Plan and 7.21 of the London Plan.
3. The proposal have an unacceptable impact on local character and amenity, and cause significant harm to this Area of Special Character, contrary to policies DM1 and DM6 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.

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

DECISION: GRANTED, planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Unilateral Undertaking 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 Addendums.

RECOMMENDATION B

That if the Unilateral Undertaking Agreement is not completed by 14 January 2019, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer.

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

Councillors Ghazanfar Ali, Ajay Maru & Kiran Ramchandani voted for the application. The Chair used his casting vote.

Councillors Stephen Greek, Anjana Patel & Bharat Thakker voted against the application.

(Note: The meeting, having commenced at 6.33 pm, closed at 9.20 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair