

# PLANNING COMMITTEE

## MINUTES

### 12 FEBRUARY 2020

**Chair:** \* Councillor Keith Ferry

**Councillors:** \* Peymana Assad (3) \* Anjana Patel  
\* Simon Brown \* Sachin Shah  
\* Stephen Greek \* Bharat Thakker

**In attendance:** Norman Stevenson Minute 315  
**(Councillors)**

\* Denotes Member present  
(3) Denotes category of Reserve Member

#### 305. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Peymana Assad

#### 306. Right of Members to Speak

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

Councillor

Planning Application

Norman Stevenson

2/01, 1 Love Lane, Pinner, HA5 3EE,  
P/3669/19

#### 307. Declarations of Interest

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

Agenda Item 2/02 – 8A Village Way, HA5 5AF, P/4647/18

Councillor Stephen Greek declared a non-pecuniary interest in that he was a member of the Conservative Party, and the application site was located to the north of Village Way, next to the Conservative Party Office (Harrow West Conservative Association). He would remain in the room whilst the matter was considered and voted upon.

Councillor Anjana Patel declared a non-pecuniary interest in that she was a member of the Conservative Party, and the application site was located to the north of Village Way, next to the Conservative Party Office (Harrow West Conservative Association). She would remain in the room whilst the matter was considered and voted upon.

Councillor Bharat Thakker declared a non-pecuniary interest in that he was a member of the Conservative Party, and the application site was located to the north of Village Way, next to the Conservative Party Office (Harrow West Conservative Association). Furthermore, he prepared the accounts of the Party on a pro-bono basis. He would leave the room whilst the matter was considered and voted upon.

Councillor Norman Stevenson declared a non-pecuniary interest in that he was a member of the Conservative Party, and the application site was located to the north of Village Way, next to the Conservative Party Office (Harrow West Conservative Association). He would remain in the room whilst the matter was considered and voted upon.

**308. Minutes**

The Chair requested that officers explore the re-siting of the proposed building on the location of the existing Oldfield House, be added to the reasons for deferral of Application 1/01, John Lyon School Middle Road, HA2 0HN, P/1813/19.

**RESOLVED:** That, subject to the above insertion to minute 296, the minutes of the meeting held on 22 January 2020 be taken as read and signed as a correct record.

**309. Public Questions**

**RESOLVED:** To note that no public questions were received.

**310. Petitions**

**RESOLVED:** To note that no petitions were received.

**311. Deputations**

**RESOLVED:** That there were no deputations notified.

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

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

### **313. Addendum**

**RESOLVED:** To approve the addendum.

### **314. Representations on Planning Applications**

**RESOLVED:** That there were no representations on planning applications.

## **RESOLVED ITEMS**

### **315. 2/01 - 1 Love Lane, Pinner, Middlesex P/3669/19**

**PROPOSAL** – redevelopment to provide four storey accommodation with basement, hard and soft landscaping, and parking (demolition of existing building).

Councillor Norman Stevenson addressed the Committee, outlining his arguments for seeking refusal of the application.

Following questions and comments from Members, a Planning Officer confirmed that:

- the development was acceptable in terms of size. Moreover, there would be an increase in footway due to a build-out at the crossing point and the revised shop frontage. The relocation of doors, by approximately 1.2m to the shop, would also mean that there would be less conflict between people waiting to cross and those accessing the shop;
- furthermore, the development would be set-back from the highway to the existing building by an additional 1m, and it would provide greater circulation space for pedestrians than what currently existed; and
- the combination of the design, with the proposed zebra crossing, were together considered a benefit for pedestrians.

A Member proposed refusal on the following grounds:

- the proposal was an overdevelopment, with excessive scale and bulk, which lacked off-street parking provision, and lacked sufficient provision for pedestrian access, to the detriment of local character and amenity, contrary to policies DM1 and DM42 of the Local Plan, CS1.B and CS1.S of the Core Strategy, and 6.13, 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's recommendations.

#### **RECOMMENDATION A**

Agree the reasons for approval as set out in the report, and grant planning permission subject to authority being delegated to the Interim Chief Planning Officer, in consultation with the Director of Legal and Governance Services and the Chair of the Planning Committee, 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) Parking Permit restriction;
- ii) Legal Fees – payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- iii) Planning Monitoring Fee.

#### **RECOMMENDATION B**

That, if the Section 106 Agreement was not completed by 17<sup>th</sup> February 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, in consultation with the Chair of the Planning Committee, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to provide parking permit restrictions would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, in accordance with the National Planning Policy Framework (2019), policy 6.13 of the London Plan (2016), policy T6 of the Draft London Plan (2019), policies CS1.T of the Core Strategy (2012) and policies DM1 and DM43 of the Harrow Development Management Policies Local Plan (2013).

#### **DECISION: GRANT**

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

*Councillors Ferry, Assad, Brown and Shah voted for the application.*

*Councillors Greek, Patel and Thakker voted against the application.*

#### **316. 2/02 - 8a Village Way P/4647/18**

**PROPOSAL** – redevelopment to provide a detached part single, part two- and three-storey building for 15 business units (Class B1a), parking, and new vehicle access.

Following questions and comments from Members, a Planning Officer confirmed that:

- the Highways department had requested that car spaces be removed from the application as there was adequate public transport nearby, being in close proximity to Rayners Lane Underground Station; and
- the proposed development was set back further than the existing building, and there would not be any overlooking into neighbouring properties.

A Member proposed refusal on the following grounds:

- the proposal, by reason of excessive scale, height and bulk, its proximity to neighbouring properties, and its lack of off-street parking provision, would harm local character and amenity, contrary to policies, DM1, DM32 and DM42 of the Local Plan, CS1.B and CS1.S of the Core Strategy, and 6.13 of the London Plan.

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

The Committee resolved to approve the officer's recommendation subject to an amendment to the development of description to remove reference to parking as this had been amended out of the scheme during officer negotiations.

## **RECOMMENDATION**

Agree the reasons for approval as set out in the report, and grant planning permission subject to the Conditions listed in Appendix 1 of the report.

## **DECISION: GRANT**

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

*Councillors Ferry, Assad, Brown and Shah voted for the application.*

*Councillors Greek and Patel voted against the application.*

### **317. 2/03 - Harrow View West, Harrow HA2 6QQ P/4224/19**

**PROPOSAL** – full planning application for the development of eight two storey residential dwellings (5 x 2 bed and 3 x 3 bed) in north west corner of the site resulting in an increase of 5 dwellings bringing overall total to 319 units, parking, landscaping, and refuse storage.

Following questions and comments from Members, a Planning Officer confirmed that:

- the developer had re-considered the initial proposal after it was refused by the Greater London Authority (GLA), thus coming up with the current development.

The Committee resolved to approve the officer's recommendations.

## **RECOMMENDATION A**

Agree the reasons for approval as set out in the report, and the following:

- subject to no objection from Historic England or members of the public regarding impact on listed heritage asset;
- grant planning permission subject to the conditions listed in Appendix 1 of this report; and
- delegate authority to the Interim Chief Planning Officer, in consultation with the Director of Legal and Governance Services and the Chair of the Planning Committee, for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of condition as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

The Section 106 Agreement Heads of Terms that would cover Affordable Housing would be the following:

- additional provision of 2 affordable units, to reflect the uplift over the 314 approved in the reserved matters; and
- payment of Section 106 monitoring fee (£1,660) upon completion of Section 106 agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement was not completed by 30<sup>th</sup> May 2020, 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 was recommended to delegate the decision to REFUSE planning permission to the Chief Planning Officer on the grounds that: the proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly related to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 3.11, 3.13, 5.2, 6.3, 7.4, 7.5 and 7.6 of The London Plan (2016), Core Strategy (2012) policy CS1, policies AAP3, AAP13 and AAP19 of the Harrow and Wealdstone Area Action Plan(2013) and policies DM1, DM2 DM42, DM43 and DM50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations (2013).

## **DECISION: GRANT**

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

### **318. 2/04 - Roxeth Primary School Brickfields HA2 0JA P/5197/19**

**PROPOSAL** – Certificate of Lawful Proposed Works to a Listed Building: Installation of Multi-Use AstroTurf Pitch to Upper Playground.

The Committee resolved to approve the officer's recommendations.

## **RECOMMENDATION**

Grant a Certificate of Lawful Proposed Works for the play turf in the grounds of the listed school as the proposal would not constitute works to the grade II listed building on the site, but instead would be wholly works within the upper grounds of the listed building. The proposal is, therefore, lawful works.

## **DECISION: GRANT**

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

### **319. 2/05 - 106 Uxbridge Road, Harrow, P/5134/19**

**PROPOSAL** – redevelopment to provide three storey building to create six flats (4 x 3 Bed, 2 x 2 Bed), re-positioning of vehicle access with associated landscaping, parking, refuse bins and cycle storage involving demolition of existing house.

Following questions and comments from Members, Planning Officers confirmed that:

- there was a statutory obligation to conduct consultations, and a total of 14 consultation letters had been sent to neighbouring properties;
- there would be four parking spaces for the six units, and none of those would be for disabled users. There was no legal obligation on the part of the developer to provide disabled bays;
- the second appeal was dismissed on highway grounds, as there would have been a requirement to carry out works within the highway to adjust the configuration of a splinter island within the carriageway of Uxbridge Road, located to the south of the site which would need a S106 agreement with the Council to carry out; and
- following a motion to refuse the application on parking grounds, the officer advised the committee that such a reason for refusal, based on the recent history of the site, would not be reasonable. Parking matters

had been considered in the previous planning applications and subsequent appeals. The Planning Inspector had not raised the parking provision as an issue. The parking provision in this application was the same, and to introduce this as a reason now would expose the Council to likely costs on appeal.

A Member had proposed refusal on the following grounds:

- the proposal, by reason of insufficient parking provision, would have a detrimental impact on the highway, contrary to policies DM1 of the Local Plan, CS1.B and CS1.S of the Core Strategy, and 6.13, 7.4 and 7.6 of the London Plan.

The motion was, subsequently, withdrawn.

The Committee resolved to approve the officers' recommendations.

### **RECOMMENDATION A**

Agree the reasons for approval as set out in this report, and grant planning permission subject to authority being delegated to the Chief Planning Officer 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- 1) contribution of £8,000 to £10,000 (amount to be confirmed) to permit an extension to the existing refuge island adjacent to the site;
- 2) Legal Fees - payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- 3) Planning Administration Fee - payment of £1,580 administration fee for the monitoring and compliance of the legal agreement.

### **RECOMMENDATION B**

That if, by 30<sup>th</sup> March 2020 or such extended period as may be agreed in writing by the Chief Planning Officer in consultation with the Chair of the Planning Committee, the Section 106 Planning Obligation was not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to secure the extension of the existing refuge island, would result in a detrimental impact on the capacity and safety of the Highway network, would fail to comply with the requirements of Policies DM42 and DM50 of the Development Management Policies Local Plan 2013 which seeks to ensure the proposal would not result in any unreasonable impacts on the highway, and the Supplementary Planning Document: Planning Obligations (2013).



**DECISION: GRANT**

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

*Councillors Ferry, Assad, Brown and Shah voted for the application.*

*Councillors Greek, Patel and Thakker abstained from voting.*

**The audio recording of this meeting can be found at the following link:**

<https://www2.harrow.gov.uk/ieListDocuments.aspx?CId=1001&MId=64644&Ver=4>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.09 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair