

PLANNING COMMITTEE

MINUTES

20 MAY 2020

Chair: * Councillor Keith Ferry

Councillors: * Ghazanfar Ali * Simon Brown
* Marilyn Ashton * Anjana Patel
* Christopher Baxter * Sachin Shah

* Denotes Member present

333. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

334. Appointment of Vice-Chair

RESOLVED: To appoint Councillor Ghazanfar Ali as Vice-Chair of the Planning Committee for the 2020/2021 Municipal Year.

335. 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.

336. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 2/05 - 326 Station Road

Councillor Keith Ferry declared a pecuniary interest in that he had an association with the applicant. He left the meeting whilst the matter was considered and voted upon.

337. Minutes

RESOLVED: That the minutes of the meeting held on 11 March 2020 be taken as read and signed as a correct record.

338. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions, petitions or deputations were received at this meeting.

339. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

RESOLVED ITEMS

340. Representations on Planning Applications

RESOLVED: To note that there were no representations received at this meeting.

341. Addendum

RESOLVED: To accept the Addendum.

342. 1-01 - 38-44 St Anns House - P-0572-20

PROPOSAL: Second floor rear extension; creation of additional 2 storeys to provide additional office space (Use class B1a); change of use of first floor from retail (use class A1) to office space (use class B1a) External alterations; refuse and cycle storage.

The Planning Committee resolved to approve the officer recommendations.

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in the report; and
- 2) Grant 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 report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

The Planning Policy Officer had confirmed that, given the scope and scale of the proposal, which comprised the extension and refurbishment of an existing building rather than wholesale redevelopment of the site, that it was not necessary to apply a requirement for zero net carbon development to the proposal. Under the GLA guidance, refurbishments / extensions did not have to meet London Plan targets, but should demonstrate that carbon reductions had been achieved where possible. In this particular instance, it was considered reasonable to allow such reductions to offset emissions from the new build elements.

The proposed heads of terms for the S.106 had, therefore, been amended as follows:

Travel Plan

- (i) A revised travel plan shall be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- (ii) A travel plan bond of £10,000 would be required to secure the implementation of all measures specified in the revised Travel Plan. In addition, a £5,000 monitoring fee was required to cover the cost of monitoring the travel plan. The developer would ensure the effective implementation, monitoring and management of the travel plan for the site.
- (iii) Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which would be met by the developer.

Employment and Training

- (iv) The developer would submit to the Council for approval, prior to commencement of the development, a Training and

Recruitment Plan

- (v) The developer would implement the agreed Plan. The training and Employment plan would include:
 - (a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
 - (b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
 - (c) the timings and arrangements for implementation of such initiatives;
 - (d) suitable mechanisms for the monitoring of the effectiveness of such initiatives;
 - (e) a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This was usually calculated using the formula: £2,500 per £1,000,000 build cost.

- (vi) The developer would use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

Legal Fees

- (vii) Legal Fees: payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement was not completed by 30 August 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 Interim 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 relate 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, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), policies E11, SI 2 and T6.1 of The Draft London Plan (2019), Harrow Core Strategy (2012) policy CS1, policies AAP4 and AAP20 of the Harrow & Wealdstone Area Action Plan (2013) and policies DM1, DM12, DM13, DM14, DM42, DM43 and DM50 of the Harrow Development Management Policies Local Plan.

DECISION: GRANT

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

343. 2-01 - 8 Headstone Road - P-3457-19

PROPOSAL: Construction of additional three storeys to create six flats with parking and bin/cycle storage; external alterations.

Following comments from the Chair, an officer advised that:

- the consultation ended on 04 September 2019 (and not 04 September 2020, as shown on page 6 of the report or page 59 of the agenda). It was a typographic error that would be corrected.

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in the report, and

- 2) Grant 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - (i) The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material made reference to the fact that; and (ii) all lettings agreements contained a covenant to the effect that; future occupiers and tenants (other than those that were registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit;
 - (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 was not completed by 30 August 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 Interim Chief Planning Officer on the grounds that:

The proposed redevelopment of the site, in the absence of a legal agreement for the restriction of resident parking permits, which sought to ensure the proposal would not result in any unreasonable impacts on the highway, contrary to the National Planning Policy Framework (2019), policy 6.9 of The London Plan (2016), policy T6.1 of The Draft London Plan (2019), Core Strategy (2012) policy CS1, Harrow & Wealdstone Area Action Plan policy AAP19, and policy DM42 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

DECISION: GRANT

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

344. 2-02 - Walton Croft Cavendish Avenue - P-5102-19

PROPOSAL: Addition of fourth floor to provide four flats; refuse and cycle storage.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

- 1) Agree the reasons for approval as set out in the report; and

- 2) 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 unanimous.

345. 2-03 - Unit 25, St Georges Shopping Centre, St Anns Road - P-5205-19

PROPOSAL: Change of use of unit to a flexible use including leisure (use class D2) and/or retail (use class A1).

Following a question and comments from a Member, an officer advised that:

- the premises could be used either as a gym or retail outlet, without the need to continue reapplying for change of use.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

- 1) Agree the reasons for approval as set out in the report; and
- 2) 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 unanimous.

346. 2-04 - 47-49 High Street - P-5310-19

PROPOSAL: Change of use from banqueting and function suite (Use Class Sui Generis) to self-storage use (Use class B8); external alterations.

Following a question from a Member, an officer advised that:

The hours of operation permitted, including when it would be not open to customers outside of the following times, were set in Condition 3 of the report as:

- a) 08:00 to 18:00 hours on Monday, Tuesday, Wednesday, Friday and Saturday;
- b) 08:00 to 20:00 hours on Thursdays; and
- c) 10:00 to 16:00 hours on Sundays, Public or Bank Holidays.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

- 1) Agree the reasons for approval as set out in the report; and
- 2) 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 unanimous.

347. 2-05 - 326 Station Road - P-2279-19

Councillor Keith Ferry (Chair) left the meeting at 6:35pm, when consideration of the item begun, and Councillor Ghazanfar Ali (Vice-Chair) assumed the chair.

PROPOSAL: Change Of Use Of First Floor From D1 Use To 21 x Room HMO Shared Accommodation (Use Class Sui Generis); creation of 3rd and 4th Floors comprising of 13 x Room HMO Shared Accommodation (Use Class Sui Generis) to 3rd Floor and Resident's Amenity Space to 4th Floor; Bin and Cycle Stores.

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

- the development was considered an acceptable form of communal living, and that type of house of multiple occupancy (HMO) was now popular in London; and
- all rooms would have *ensuite* bathrooms, however, there would be shared amenities, such as the kitchen and laundry.

A Member proposed refusal on grounds of scale, and type of accommodation.

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

The Legal Officer advised that delegation be given to Planning Officers to articulate policies reasons for refusal.

The Committee resolved to reject the officer recommendations, and to authorise the Interim Chief Planning Officer to advance reasons for refusal of the officer recommendations.

RECOMMENDATION A

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

- (i) Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development should obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order;
- (ii) The submitted travel plan (or a revised Travel Plan if deemed necessary by the Council, and would be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing;
- (iii) A travel plan bond of £10,000 would be required to secure the implementation of all measures specified in the revised Travel Plan. In addition a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site;
- (iv) Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer; and
- (v) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 3 September 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, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits and implementation of the Travel Plan, would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013). and Policies DM42 and DM43 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

DECISION: REFUSE

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

Councillors Ghazanfar Ali, Marilyn Ashton, Christopher Baxter and Anjana Patel voted against the application.

Councillors Simon Brown and Sachin Shah voted for the application.

Councillor Keith Ferry (Chair) re-joined the meeting.

(Note: The meeting, having commenced at 6.00 pm, closed at 6.58 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair