

Planning Committee

Minutes

14 April 2021

Present:

Chair: Councillor Ghazanfar Ali

Councillors: Marilyn Ashton Simon Brown
Peymana Assad Ajay Maru
Christopher Baxter Anjana Patel

In attendance (Councillors): Norman Stevenson For Minute 542 and 543.

Apologies received: Keith Ferry

530. Minute Silence

The Committee observed a minute's silence following the sad passing of His Royal Highness The Prince Philip, Duke of Edinburgh.

531. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Keith Ferry

Councillor Ajay Maru

532. 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:

Councillor

Planning Application

Norman Stevenson

Agenda Item 2/01, Northcote, 86 Rickmansworth Road, Pinner, HA5 3TW P/2567/20; and Agenda Item 2/02, Northcote (Existing), 86 Rickmansworth Road, Pinner, HA5 3TW P/2785/20.

533. Declarations of Interest

RESOLVED: To note that the Declarations of Interests published in advance of the meeting on the Council's website were taken as read.

534. Minutes

RESOLVED: That the minutes of the meeting held on 17 March 2021 be taken as read and signed as a correct record.

535. Public Questions

RESOLVED: To note that one public question was received (with a supplemental question) and responded to.

(The video recording of this meeting can be found at the following link: <https://www.harrow.gov.uk/virtualmeeting>)

536. Petitions

RESOLVED: To note the receipt of a petition from local residents in relation to items 2/01, Front of Northcote, 86 Rickmansworth Road, and 2/02, Northcote (Existing), 86 Rickmansworth Road, which was read by Ms Muzna Al-Naib, and its comments noted in the discussions that ensued.

537. Deputations

RESOLVED: To note that no deputations were received.

538. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

539. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendum.

540. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of items 2/01 and 2/02 on the list of planning applications.

Resolved Items

541. 1/01 Harrow View East, Plots B1 and C1 (Development Zones B and C) P/4581/20

PROPOSAL: full planning application for the development of Plots B1 and C1 at Harrow View East (former Kodak Factory) for residential dwellings, retail and community floorspace together with associated car and cycle parking, open space, landscaping and ancillary development including all necessary infrastructure works. Details Include: Building height ranging from 5 - 14 storeys and comprising 474 Residential units; Retail floorspace 456sqm (Use Class E); Flexible Community uses 649sqm (Use Classes E, F1 and F2).

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

- this was the first amendment to have the height increased, and there was no limit on how many requests for additional floors could be made. However, Officers would advise against more increases if they deemed so;
- parking spaces were not sold separately but were part of the sale of larger properties; and
- the portion of affordable housing units was 40%, and Harrow residents would be prioritised. The remainder of units were “open market” and would be sold to who ever was interested.

Councillor Marilyn Ashton proposed refusal for the following reasons:

1. the proposed increase in height of four storeys of Block H1 in Plot C1 would result in an over-bearing appearance in the street scene owing to its prominent location within the site to the detriment of amenities of future occupiers within the locality, contrary to policy CS1 Harrow Core Strategy (2012), London Plan D1 (2021), Harrow Development Management Policies (2013) DM1; and
2. the cumulative increase in heights of numerous blocks throughout the plots would result in an over intensification of an already excessively intensive development and would result in a loss of amenity to future occupiers, contrary to policy CS1 Harrow Core Strategy (2012), London Plan D1, D2 (2021), Harrow Development Management Policies (2013) DM1.

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

The Committee resolved to accept officer recommendation.

RECOMMENDATION

- 1) agree the reasons for approval as set out in the report;
- 2) refer this 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 case itself and 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 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 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 would cover the following matters:

1. Affordable Housing

- Provision of 180 affordable homes: 71 shared ownership and 109 affordable rent;
- 10% of affordable rent accommodation to be constructed and ready for occupation as wheelchair standard home; and
- Early stage review

2. Carbon Offset

- Payment of a total financial contribution of £685,669 towards carbon offset. Payable upon commencement of each phase on a pro rata basis; and
- Provision of certification of actual/ as-built carbon emission achieved on site and payment of any shortfall in carbon reductions calculated at a rate of £95 per tonne of carbon to be offset per year, over a 30 year period.

3. Design Scheme

- To use reasonable endeavours to employ the main scheme Architect on an overseeing/ executive role until practical completion.

4. Energy Centre

- Connection of each phase to the Energy Centre on the wider Harrow View East masterplan site; and

- Provision of a safeguarding route to a connection to any future wider District Heat Network.

5. Community Uses

- Delivery of 649sqm of community floor space; and
- Process for the provision of the community space to the Council in the first instance.

6. Highways and Parking

(a) Travel Plan

- Submission of a travel plan based on the framework travel plan for each of Plots B and C prior to occupation and to cover an initial monitoring period of 5 years; and
- Appointment of a travel plan co-ordinator.

(b) Parking – Car Club Provision

- Provision of one car club parking space within the site boundary; and
- To enter into an agreement with an approved car club operator to operate the car club.

(c) Highways Agreement

- To use reasonable endeavours to enter into a Section 38 Agreement under the Highways Act 1980 (if deemed necessary).

7. Employment and Training Plan

- Payment of local Employment Contribution to the Council upon commencement of development and to be used towards employment and training initiatives within the Council's administrative area; and
- Submission of an employment, training and recruitment plan to the Council for its approval

8. Public Art

- Submission of a strategy to deliver public art on site up to the value of £200,000.

9. Securement of Leisure use in Plot D5 (of wider masterplan)

- Applicant to use reasonable endeavours to secure a leisure use within Plot D5 of the wider masterplan site (or such other plot as may be agreed with the Council), subject to receiving all necessary and relevant consents.

10. Legal Costs and Monitoring Fee

- Payment of section 106 monitoring fee upon completion of section 106 agreement (amount TBC); and
- Payment of all reasonable legal fees upon completion of section 106 agreement.

DECISION: GRANT – Subject to Legal Agreement

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

Councillors Ali, Assad, Brown and Maru voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

542. 2/01 Front of Northcote, 86 Rickmansworth Road P/2567/20

PROPOSAL: redevelopment to provide a two-storey building with accommodation in the roof space comprising of nine flats (8 x 1 bed and 1 x 2 bed); front boundary wall; new access from Rickmansworth Road; parking; amenity space; refuse and cycle storage (as amended by the Addendum).

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

- the proposal was within a PTAL 2 area, and was within 15 minutes walk to the nearest train station. The area was considered to be reasonably connected to public transport;
- the previous permission included a legal agreement for the Council to introduce double yellow lines at the entrance to Northcote in an effort to increase visibility by preventing parking adjacent to the access. This was recommended following receipt of concerns from the surrounding public. It was considered that, as the site circumstances had not significantly changed, the same arrangement will be sought again;
- the proposed properties would have balconies, and this was required to meet current amenity standards. This was in keeping with surrounding buildings; and
- the soft landscaping would be reduced for current occupiers, and would result in the loss of some garden space.

The Committee received representations from Nisha Chauhan (objector), and Ian Gilbert (agent for applicant). Both speakers outlined reasons for seeking refusal, and approval, of the application, respectively.

The Committee also received representation from Councillor Norman Stevenson (Back Bench) who urged the Committee to refuse the application.

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 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. Contribution of £3,000 for the introduction of waiting restrictions at the access to ensure that good visibility is maintained;
 - ii. A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (equivalent to 5% of the overall financial contribution) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms; and
 - iii. The Developer to be responsible for the Council's legal costs associated with the negotiation and preparation of the s.106 planning agreement and a further financial contribution to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms of the agreement

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th September 2021, 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 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 physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT – Subject to Legal Agreement

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

Councillors Ali, Assad, Brown and Maru voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

543. 2/02 Northcote (Existing), 86 Rickmansworth Road P/2785/20

PROPOSAL: creation of third floor comprising of eight flats (8 x 2 bed); parking; bin and cycle stores (as amended by the Addendum and Supplemental Addendum).

The Committee received representations from Nisha Chauhan (objector), and Ian Gilbert (agent for applicant). Both speakers outlined reasons for seeking refusal, and approval, of the application, respectively.

The Committee also received representation from Councillor Norman Stevenson (Back Bench) who urged the Committee to refuse the application.

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

- the Highways related standards for typical parking spaces was 2.4m x 4.8m, while blue badge bays should have a width of 3.6m;
- the majority of proposed parking spaces met the minimum size; and
- the parallel parking spaces along the north-west side of the site had different dimensions, as they were narrower than 2.4m. The Highways Officer had confirmed that the widths were acceptable for parallel parking and that the Council's own parking bays of this type were typically 2.0m wide. It had been determined that they should be longer than 4.8m to allow for manoeuvring room. It is noted this would likely result in the loss of one space. A revised wording to Condition 6 was included in the Supplemental Addendum for relevant amendments.

Councillor Marilyn Ashton proposed refusal for the following reasons:

1. the proposed additional floor would introduce unwelcome mass and scale to the existing building, to the detriment of the character of the area and the adverse effect it would have on residential amenity within the locality, contrary to policy CS1 Harrow Core Strategy (2012), D1 London Plan (2021), Harrow Development Management Policies DM1 (2013); and
2. the proposal offered a lack of car parking spaces to the detriment of the amenity of future occupiers, contrary to policy CS1 (Part S) Harrow Core Strategy (2012), D1 London Plan (2021), DM42 Harrow Development Management Policy (2013).

The proposal was seconded by Councillor Anjana Patel, put to the vote, and lost.

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 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. Contribution of £3,000 for the introduction of waiting restrictions at the access to ensure that good visibility was maintained;
 - ii. A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (equivalent to 5% of the overall financial contribution) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms; and
 - iii. The Developer to be responsible for the Council's legal costs associated with the negotiation and preparation of the s.106 planning agreement and a further financial contribution to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms of the agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th September 2021, 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 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 physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policy DM1, DM43 and DM 50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT – Subject to Legal Agreement

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

Councillors Ali, Assad, Brown and Maru voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

544. 2/03 Congress House, Lyon Road P/4020/20

PROPOSAL: outline application for access, appearance, layout and scale only: addition of roof extension to create 7th floor (8th storey) to provide 4 flats; infill of undercroft car parking area to provide additional 2 flats with amendments to car and cycle parking provision; and external alterations.

The Committee resolved to accept the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 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.

545. 2/04 Trinity House, 326 Station Road P/3517/20

PROPOSAL: change of use of first floor from D1 Use To 17 x Room HMO shared accommodation (Use Class Sui Generis); creation of 3rd and 4th floors comprising of 17 x room HMO shared accommodation (Use Class Sui Generis) to on 3rd floor and Resident's Amenity Space to on 4th Floor; bin and cycle stores.

The Committee resolved to accept the officer recommendation.

RECOMMENDATION A

The Planning Committee was asked to:

- 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order;
- ii. The submitted travel plan (or a revised Travel Plan if deemed necessary by the Council, and to 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 will 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;
- v. 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 30th September 2021, 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 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 T4 and T6.1 of The London Plan (2021), 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: GRANT – Subject to Legal Agreement

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

546. 2/05 2 Spring Villa Road P/1701/20

PROPOSAL: development to provide part 3 and part 4 storey building comprising of office space (Use Class B1) (New Use Class E G) and undercroft car parking (Use Class Sui Generis); with access to Spring Villa Road; parking; and cycle stores (as amended by the Addendum).

The Committee resolved to accept the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reason 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 by a majority of votes.

Councillors Ali, Assad, Brown and Maru voted to grant the application.

Councillors Ashton, Baxter and Patel abstained from voting on the application.

547. 2/06 Vaughan Road Car Park P/0922/21

PROPOSAL: details pursuant to Condition 10 (Construction Method Statement & Logistics Plan) of planning permission P/3468/17, dated 28 September 2018 for redevelopment of car park to provide a four to eight storey building comprising 242sqm of workshop/commercial/community (Class A2/A3/B1/D1) space on the ground floor and 33 residential apartments (Class C3) on the upper floors; amenity areas; landscaping with associated surface parking; bin and cycle storage; substation; re-location of vehicle access on Vaughan Road; and alterations to adjacent highway (as amended by the Addendum).

The Committee resolved to accept the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for the recommendation; and
- 2) approve the details submitted to condition 10 (Construction Method Statement and Logistics Plan) to Planning Permission P/3468/17, dated 28 September 2017.

DECISION: GRANT

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

548. 2/07 Vaughan Road Car Park P/0993/21

PROPOSAL: details pursuant to conditions 11 (levels), 12 (surface water drainage) and 13 (foul water drainage) attached to planning permission P/3468/17 dated 28/09/2017 for redevelopment of car park to provide a four to eight storey building comprising 242sqm of workshop/commercial/community (Class A2/A3/B1/D1) space on the ground floor and 33 residential apartments (Class C3) on the upper floors; amenity areas; landscaping with associated surface parking; bin and cycle storage; substation; re-location of vehicle access on Vaughan Road; and alterations to adjacent highway (as amended by the Addendum).

The Committee resolved to accept the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for the recommendation; and
- 2) approve the details submitted to conditions 11 (levels), 12 (surface water drainage) and 13 (foul water drainage) attached to Planning Permission P/3468/17, dated 28 September 2017.

DECISION: GRANT

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

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

<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 9.22 pm).

(Signed) Councillor Ghazanfar Ali
Chair

