

# Planning Committee

## Minutes

### 16 February 2022

**Present:**

**Chair:** Councillor Nitin Parekh

**Councillors:** Marilyn Ashton  
Christopher Baxter  
Simon Brown  
James Lee  
Ajay Maru  
Anjana Patel

**Apologies received:** Maxine Henson  
Rekha Shah

**457. Attendance by Reserve Members**

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

Ordinary Member

Councillor Maxine Henson

Councillor Rekha Shah

Reserve Member

Councillor Ajay Maru

Councillor James Lee

**458. 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.

#### **459. 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, and in addition the following declaration was made:

Agenda Item 1/01 Harrow Council Civic Car Park A, Milton Road and 9 Station Road, Milton Road P/4477/21

Councillor Ajay Maru declared a pecuniary interest in that he was a director, on behalf of Harrow Council, on the Harrow Strategic Development Partnership (HSDP) Board – comprising Harrow Council, and Wates Construction Limited, as development manager.

(Councillor Maru left the meeting whilst the Item was being considered and voted on.)

#### **460. Minutes**

**RESOLVED:** That the minutes of the meeting held on 19 January 2022 be taken as read and signed as a correct record.

#### **461. Public Questions**

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

#### **462. Petitions**

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

#### **463. Deputations**

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

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

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

#### **465. Addendum**

**RESOLVED:** To accept the Addendum, and Supplemental Addendum.

#### **466. 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 item 1/01 on the list of planning applications.

## Resolved Items

### 467. 1/01, Harrow Council Civic Car Park A Milton Rd & 9 Station Road, Milton Road, P/4477/21

**PROPOSAL:** development of apartment building comprising residential units (use class C3) and flexible non-residential use to ground floor (Use Class E and/or F1 and/or F2); townhouses (use class C3); landscaping; boundary treatment; parking; bin and cycle stores. Details: apartment building with height ranging from 4 - 7 storeys comprising 29 residential units (21 x 1 bed, 8 x 2 bed) and 10 x 3 storey townhouses (6 x 3 bed and 4 x 4 bed) (as varied by the Addendum and Supplemental Addendum).

The Committee received representation from Ajay Thakure (objector), and Olivia Russell (agent for the applicant), who urged the Committee to refuse and approve the application, respectively.

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the block of 29 Shared Ownership flats located on Station Road, by reason of its scale and mass, will be out of keeping along this stretch of Station Road and will be over-bearing in comparison with the height of the buildings abutting the site. Therefore, it cannot be justified, since this shared ownership element of the proposal comprises nearly three quarters of the overall number of 39 units, contrary to policies CS1 Harrow Core strategy (2012), DM1 and DM24 Harrow Development Management Policies (2013) and D1, GG4, H6 London Plan (2021); and
- 2) the overall design of the large tower block on Station Road is unattractive, is of poor-quality design and will not make a positive contribution to the character of the area by reason of its visually obtrusive appearance in the street scene on this side of the road, contrary to CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Policy (2013) and D1 London Plan (2021).

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

The Committee resolved to accept 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 the conditions in Appendix 1 of the report, and as varied by the Addendum. The planning obligations as varied by the Addendum and Supplemental Addendum and listed below 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 development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

### **AFFORDABLE HOUSING**

- a) To be provided as per the submitted details (10 x LAR townhouses and 29 x S/O flats) and retained in perpetuity; and
- b) In securing the Shared Ownership tenure of the affordable housing offer, a cascade mechanism is required to offer these units to Harrow residents at Harrow income levels. Following this, it can be released to the West London Alliance boroughs, and then out to London wide (in line with The Mayor of London's income cap).

### **REPLACEMENT TREES**

- a) 26 x replacement trees & maintenance – a financial contribution of £22,500, excluding VAT, to be paid as a contribution towards 4 x planes – (or similar) to replace the 4 planes removed, and 22 x Extra Heavy Standards (smaller tree stock) to replace the 11 trees removed.

### **PLAY SPACE CONTRIBUTION**

- a) Children's Play Space – £6,365.

### **HIGHWAYS**

- a) 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.
- b) A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order and a monitoring fee.
- c) Alteration to the existing loading restriction - £3,000.
- d) 2 x cycle racks on the public highway - £2,000.

### **CARBON OFFSET**

- a) £93,912 carbon offset payment prior to the commencement of development (circa 27 tonnes offset per annum).
- b) Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
- c) Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).

- d) Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.

## **RECOMMENDATION B**

That if, by 1 June 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the following reason.

- 1) 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 (2021), policies H4, H5, H6, G5, G7, D2, SI2, S4, T3, T4 and T6 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP4, AAP5, AAP11 and AAP13 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM7, DM12, DM13, DM14, DM27, DM28, DM42, DM43, DM44 and DM45 and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **DECISION: GRANT – SUBJECT TO SECTION 106 AGREEMENT**

The Committee wished it to be recorded that the decision to grant the application, subject to a section 106 agreement, was by Chair's Casting Vote.

Councillors Brown, Lee and Parekh voted to grant the application.

Councillors Ashton, Baxter and Patel voted against the application.

Councillor Parekh, as Chair, used the Chair's Casting Vote to grant the application – subject to a section 106 agreement.

### **468. 2/01, 1 Clifton Road HA3 9NX, P/4155/21**

**PROPOSAL:** conversion of dwelling into three flats (3 x 1 bed); single storey front extension incorporating front porch; single storey side to rear extension; proposed vehicle access; parking; separate amenity space; bin and cycle stores.

The Committee resolved to accept 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 majority of votes.

Councillors Brown, Lee, Maru and Parekh voted to grant the application.

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

**469. 2/02, 5 Priory Way HA2 6DQ, P/4105/21**

**PROPOSAL:** single storey front extension incorporating porch; single and two storey side extension; single storey rear extension; external alterations (demolition of porch and detached garage and rear extension).

The Committee agreed to accept 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.

**470. 2/03, 20 Manor Road HA1 2PB, P/1684/21**

**PROPOSAL:** redevelopment to provide a two-storey building with basement level and habitable roof space for 6 x 2-bed flats; vehicle access; parking; boundary treatment; landscaping; communal amenity space; refuse and cycle storage (as varied by the Addendum).

The application was a resubmission of previously approved application P/4534/17 (granted at Committee on 21 February 2018) with no material changes proposed.

The Committee resolved to accept officer recommendations - as varied by the Addendum.

## **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 the conditions listed in Appendix 1 and the planning obligations listed below, 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - i) Street Tree Replacement (Financial Contribution of £2,000 for 2 x street trees; and
  - 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 31 April 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that: Commented [SB1]: Fergus please checked with David if there is a monitoring fee as this is usually 5% of any monetary contribution and will also need agreement to include in the HOT's by the applicant first.

The proposed development, in the absence of a Legal Agreement to provide appropriate replacement street trees, that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary mitigation and improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies G1, G5 and G7 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM2, DM43, DM22 and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **DECISION: GRANT – SUBJECT TO SECTION 106 AGREEMENT**

The Committee wished it to be recorded that the decision to grant the application was unanimous - subject to a section 106 Agreement.

**The video/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 7.33 pm).

(Signed) Councillor Nitin Parekh  
Chair