

Planning Committee

Minutes

20 July 2022

Present:

Chair: Councillor Marilyn Ashton

Councillors: Ghazanfar Ali Nitin Parekh
Peymana Assad Anjana Patel
Christopher Baxter Zak Wagman

Apologies received: Salim Chowdhury

42. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Salim Chowdhury

Councillor Anjana Patel

43. 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.

44. 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 statement was made on the agenda item below:

Agenda Item 12 (a) 2/01 Harrow Arts Centre, 171 Uxbridge Road, Hatch End, HA5 4EA P/0764/22

Councillor Marilyn Ashton stated: "I have a non-pecuniary interest to declare in that I am the Portfolio Holder for Planning and Regeneration. However, as I was not involved in the agenda item, I will remain in the meeting as the application is being considered."

45. Minutes

RESOLVED: That the minutes of the meeting held on 22 June 2022 be taken as read and signed as a correct record.

46. Public Questions

RESOLVED: To note that no public questions were put.

47. Petitions

RESOLVED: To note that there were none.

48. Deputations

RESOLVED: To note that there were none.

49. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

50. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendum.

51. 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 agenda item 2/06 on the list of planning applications.

Resolved Items

52. 1/01, 59-65 The Heights, Lowlands Road, P/4901/21

PROPOSAL: five storey front extension comprising of thirty two shared living units (Use Class Sui Generis); replacement of windows to front elevation; landscaping.

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Committee was asked to:

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

grant planning permission subject to the Conditions listed in Appendix 1 and the Addendum and the planning obligations in the report 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 legal agreement under Section 106 of the Town and Country Planning Act 1990 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) and Addendum or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

1. Tenure and Management

- Tenure and Management Strategy.

2. Affordable Housing Contribution and Viability Review

- Commuted Sum - £160,000
- To pay the affordable housing contribution prior to the commencement of development
- Early and Late Stage Review

3. Carbon Offset

- Requiring payment of the carbon offset contribution ((£22,610)) prior to commencement of development.
- Post-construction assessment to determine if the proposed carbon reductions have been achieved and whether an additional carbon offset contribution (residential element) is required to offset any shortfall,
- calculated at £1,800 per tonne of carbon.

4. Energy Centre

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

5. Highways and Parking/ Travel Plan Monitoring

- Baseline Survey to be completed prior to commencement of development and surveys to be conducted in year 1, 3 and 5 of the development, following the baseline survey.
- Submission of financial costs associated with the Travel Plan are to be provided by the developer.
- Submission of an updated Travel Plan based on the framework travel plan prior to occupation and to cover an initial monitoring period of 5 years.
- Travel Plan Monitoring fees/bond to be secured with the latter only to be used in the event of the development not meeting targets in year 5.
- Appointment of a travel plan co-ordinator.

- Permit Restriction
- Parking permits for the surrounding CPZ
- Contribution of £1500 to amend the relevant traffic management order. This is necessary in order to minimise the possibility of overspill parking onto the surrounding roads and also encourage sustainable travel.

6. Employment and Training - Construction Employment

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan/ Local Labour Employment Strategy. The developer to implement the agreed Plan. The training and Employment plan will include:
 - I. employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
 - II. the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
 - III. the timings and arrangements for implementation of such initiatives and
 - IV. suitable mechanisms for the monitoring of the effectiveness of such initiatives
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- A financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is calculated using the formula: £2,500 per £1,000,000 build cost.

7. Legal Costs and Monitoring Fee

- Legal fees: 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.
- Planning Administration Fee: Payment of £1580 administration fee for the monitoring and compliance of the legal agreement.

RECOMMENDATION B

That if, by 27 October 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 D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

Councillors Ali and Parekh voted to grant the application.

Councillors Ashton, Assad, Baxter, Patel and Wagman abstained from voting.

53. 1/02, Albro House, 59 Palmerston Road, P/0842/21

PROPOSAL: redevelopment to provide part 8 and part 9 storey connecting buildings comprising of dry cleaners (Use Class B2), and commercial laundry (Use class E(g)) to the ground floor. industrial use (Use Class B2 to the first floor, offices (Use class E(g)(iii)) to the second floor and 32 serviced apartments (C1) on the upper floors; landscaping; bin and cycle stores (demolition of existing building).

The Committee resolved to refuse officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject Conditions in the Appendix and the planning obligations 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 legal agreement under Section 106 and other enabling legislation and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

Tenure and Management Strategy

- a) A tenure and management strategy.

Employment and Training

- a) A contribution to fund local employment and training programmes;

- b) The use of local suppliers and apprentices during the construction of the development
- c) A training and recruitment plan
- d) An employment management plan

Design Review and Design Code

- a) The retention of the existing architect (or one of equivalent standard) until the development is completed; or the submission of a Design Code for approval by the Council that details the quality of the development.

Decentralised Energy Network

- a) Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
- 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.
- e) Sufficient space and safeguarded route to allow connection to any future district decentralised energy network.

Legal Costs, Administration and Monitoring

- a) S106 legal and administrative costs.

RECOMMENDATION B

That if, by 22 September 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 D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

54. 1/03, Garden House, 5 St Johns Road P/3066/20

PROPOSAL: redevelopment to provide hotel accommodation (Use Class C1) and construction of basement level; ancillary restaurant and conference rooms (Use class E); bin store; landscaping; parking (demolition of existing building).

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to conditions in Appendix 1 as varied by the Addendum and the completion of the Section 106 Legal Agreement 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 legal agreement under Section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

1. Carbon Offset

- Payment of a total financial contribution of £498,750 towards carbon offset which should be payable prior to commencement and verified at the completion of development with a top-up payment required for any shortfall in on-site carbon reductions compared to those proposed at application stage.
- Recalculation of the contribution to take into account any revised energy statement approved by the LPA.
- Provision of commitment that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages.

2. Energy Centre

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

3. Highways and Parking

- A revised Guest and Staff Travel Plan to be submitted to the Council prior to the first occupation of the building. A travel plan bond (to be agreed with the Council) will be required to secure the implementation of all measures specified in the revised Travel Plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site. Appointment of Travel Plan Coordinator. Travel Plan monitoring fee of £5,000.
- Section 50 works to include widening of the existing vehicle crossing and the relocation of a loading plate sign and hydrant sign.

4. 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.
- Submission of an employment, training and recruitment plan to the Council for its approval
- S106 agreement will include penalty clauses for non-compliance with the above. Non-compliance is failure to deliver the obligations in the section 106 Agreement, irrespective of whether:
 - I. the Agreement states that it will discharge the obligation
 - II. the Developer has paid the council (Xcite) to employ a training and employment co-ordinator and beneficiary funds to discharge the obligations, but the developer's contractors fail to work with Xcite to provide skill, apprenticeship and employment opportunities. HB Law has been working on relevant clauses.
- 15% of spend during the construction of the development is with suppliers in the council's administrative area.

5. Legal Costs and Monitoring Fee

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

RECOMMENDATION B

That if, by 27th October 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 D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

55. 2/01, Harrow Arts Centre, P/0764/22

PROPOSAL: variation of condition 2 (approved plans) attached to planning permission P/3594/20 dated 04/05/2021 to allow reduction to height and footprint of building; alterations to internal layout; reduction to terrace; alterations to external finish; omission of external staircase, heat pump, photovoltaic panels, brick pavers and external signage; alterations to layout of rooflights; replacement of windows and doors with aluminium and timber composite windows and doors.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report;
- 2) grant planning permission subject to authority being delegated to the Interim Head of Development Management to issue the decision after the expiration of the site notice on 21st July 2022, subject to addressing any comments and objections that are received being addressed to the satisfaction of the Interim Head of Development Management and subject to the Conditions listed in Appendix 1 of the report (as amended by the Addendum).

DECISION: GRANT

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

56. 2/02, 109 Green Lane, P/1323/22

PROPOSAL: raised terrace with steps to rear (retrospective); and installation of 1.6m fence to boundary.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The 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 (as amended by the Addendum).

DECISION: GRANT

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

57. 2/03, 42 Suffolk Road, P/0001/22

PROPOSAL: single storey side extension linking dwelling to detached garage; conversion of garage into habitable room with alterations to front elevation; single storey rear extension (demolition of rear conservatory).

The Committee resolved to accept officer recommendations.

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 subject to the Conditions listed in Appendix 1 of this report.

DECISION: GRANT

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

58. 2/04, 21b & 29-31 Bridge Street, Pinner, P/4965/21

PROPOSAL: creation of third floor comprising of four additional flats (1 x 2 bed and 3 x 1 bed); installation of access staircase at rear; bin and cycle stores; external alterations.

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The 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 the Appendix and the planning obligations 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 legal agreement under Section 106 of the Town and Country Planning Act 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.
- ii. A contribution of £1,500 in accordance with the adopted fees and charges is required to amend the Traffic Management Order and a monitoring fee of £500.
- iii. 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 27th October 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: 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 (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM50 of the Harrow Development Management Polices Local Plan (2013) and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

Councillors Ali, Ashton, Assad, Baxter, Patel and Wagman voted to grant the application.

Councillor Parekh abstained from voting.

59. 2/05, 19 Malpas Drive, P/1022/22

PROPOSAL: two storey side extension; single and two storey rear extension; rooflights inside roof slopes; front porch with rooflight; relocation of main entrance; external steps rear; external alterations (demolition of attached garage).

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The 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.

60. 2/06, Shivshakti, 11 Thornton Grove P/1688/22

PROPOSAL: single and two storey rear extension; alterations to roof; rooflights in front and rear roof slopes; landscaping; external alterations; vehicle access.

The Committee received representation from Carol Walzer (objector), and Idris Anjary (agent for applicant), who urged the Committee to refuse and approve the application, respectively.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The 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 this report.

DECISION: GRANT

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

61. 3/01, Mallory, Priory Drive, P/1392/22

PROPOSAL: variation of condition 2 (approved plans) attached to planning permission P/1404/18 dated 03 August 2018 to allow alterations to basement, single storey extensions to the kitchen and living room, first floor side extension, roof modifications.

Councillor Marilyn Ashton proposed deferral for the following reason:

- 1) the Committee was minded to defer and grant the application, given the size of the plot and the character of the road, which comprises exceedingly large detached houses of differing sizes and designs and, which were all sited on huge plots including this property.

This was seconded by Councillor Christopher Baxter, put to the vote and agreed.

The Committee resolved to reject officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) agree the reasons for refusal as set out in the report; and
- 2) refuse planning permission.

DECISION: DEFER – MINDED TO GRANT AT FUTURE MEETING

The Committee wished it to be recorded that the decision to defer the application, and minded to grant at a future meeting, was by majority of votes.

Councillors Ashton, Baxter, Patel and Wagman voted to defer the application.

Councillors Assad and Parekh voted not to defer the application.

Councillor Ali abstained from voting.

62. REPORT - Proposed Amendments to the Conservation Area Advisory Committee (CAAC) Constitution

The Committee received a report on the Proposed Amendments to the Conservation Area Advisory Committee (CAAC) Constitution.

The report set out the recommended response to the Harrow Hill Trust's proposal to omit Harrow School from the Conservation Area Advisory Committee (CAAC), and suggested amendments to the CAAC's Constitution aimed at boasting active membership of the Committee.

RESOLVED: The Committee considered the following recommendations with regard to the CAAC's Constitution:

1. agreed to retaining Harrow School on the list of organisations that could nominate members;
2. changed the criteria for membership so that:
 - a) should any of the listed organisations fail to nominate a member of that organisation to be part of the Committee, the Committee could co-opt a member of that organisation to be part of the Committee; and
 - b) omit the Stanmore and Harrow Historical Society from the list of organisations that could nominate members (the organisation closed in June 2022 and so no longer exists), add the London Historic Parks and Gardens Trust (known as London Gardens Trust), add the Gardens Trust, add the Open Spaces Society, and change 'Any other organisation – 1000+ members' in the list to "any other organisation that CAAC deem relevant following any national guidance";
3. added that the CAAC can provide feedback on Listed Building Consent applications (where works are external and affect a conservation area) and Advertisement Consent applications, not just Planning Applications;
4. changed the month for the CAAC AGM to October (usually), but also allow CAAC to change to one month either side as they agree by majority thereafter if required to suit circumstances;
5. omitted reference to the "Department of Environment's Circular 8/97" and replace with reference to "any relevant current Government guidance"; and
6. add the changes in the Addendum.

63. Any Other Urgent Business - Vote of Thanks David Morren

The Chair led Members in paying tribute to the Interim Head of Planning Development, David Morren, for the hard work and professionalism during his time at Harrow Council over the past one year. The Committee wished him all the best in his future endeavours.

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 8.57 pm).

(Signed) Councillor Marilyn Ashton
Chair