

Planning Committee

Minutes

7 December 2022

Present:

Chair: Councillor Marilyn Ashton

Councillors: Ghazanfar Ali Nitin Parekh
Peymana Assad Norman Stevenson
Christopher Baxter Zak Wagman

In attendance (Councillors): Kuha Kumaran For Minute 122

Apologies received: Salim Chowdhury

112. 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 Norman Stevenson

113. 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

Kuha Kumaran

1 Ash Hill Drive HA5 2AG (P/0719/22)

114. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 2/01 1 Ash Hill Drive HA5 2AG (P/0719/22)

Councillor Norman Stevenson declared a non-pecuniary interest in that he was an occasional customer of the proposed development. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 3/01 66 Lake View (P/3220/22)

Councillor Nitin Parekh declared a non-pecuniary interest in that he lived near the proposed development. He would remain in the room whilst the matter was considered and voted upon.

115. Minutes

RESOLVED: That the minutes of the meeting held on 16 November 2022 be taken as read and signed as a correct record.

116. Public Questions

RESOLVED: To note that no public questions were received.

117. Petitions

RESOLVED: To note that there were none.

118. Deputations

RESOLVED: To note that there were none.

119. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

120. Addendum

RESOLVED: To accept the Addendum.

121. 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 2/03 on the list of planning applications.

[Note: Planning application 2/03 was subsequently deferred, and so the representations were not received].

Resolved Items

122. 2/01, 1 Ash Hill Drive, P/0719/22

PROPOSAL: redevelopment to provide three storey building comprising 8 x 2 bed units; proposed vehicle access via supermarket to rear; parking; landscaping; bin and cycle stores; amenity space (as amended by the Addendum).

The Committee received representation from Anneliese Pugh (objector), and Danielle St James (agent for the applicant) who urged the Committee to refuse, and grant the application, respectively.

The Committee also heard from Councillor Kuha Kumaran, who urged the Committee to refuse the application.

Councillor Christopher Baxter was concerned about the reduction to car parking spaces, and how much of it would be lost. How would access by heavy goods vehicles (HGVs) be addressed during certain times of the day?

The Head of Planning Development advised that those issues were addressed under paragraph 6.5 of the report. The development would remove 20 car parking spaces within the 196 space Tesco car park (with 176 remaining). The transport management plan would give details on HGV access.

Councillors Ghazanfar Ali, Christopher Baxter and Norman Stevenson raised concerns on safety issues for residents' access to the car park, and the narrowness of the pavement.

The Head of Planning Development advised that there was a distance of about 4.8 metres from the footway to residents' front entrance, which was considered adequate. Furthermore, the proposed refuse store, which would be in a standalone structure at the rear of the site, could be moved to allow for more resident access. The vehicle parking area was separated from the main highway (from Cuckoo Hill) by landscaping, and only benefited from pedestrian access via the bin collection point.

Councillor Nitin Parekh asked how residents of Camden Row would be given free access to parking at the proposed development.

The Head of Development Planning advised that this would be done using number plate recognition technology for residents.

Having had regard to the information in the Officer's report, and having conducted a site visit, the following were grounds for refusal proposed by Councillor Marilyn Ashton:

- 1) the proposed development represents an overdevelopment of the site by reason of its unsympathetic and bulky design, which would be visually obtrusive and incongruous in the street scene, resulting in it appearing to be overbearing, out of keeping and would not preserve the setting of the Locally Listed cottages along Cuckoo Hill and would be out of character as regards the lower rise dwelling houses opposite the site, contrary to the National Planning Framework (2021), CS1

Harrow Core Strategy (2012), DM1, DM7 Harrow Planning Policy Framework (2013) and D3 London Plan (2021).

The proposal was seconded by Councillor Norman Stevenson, put to the vote and agreed.

The Committee voted and 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 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. prior to commencement of the development a Deed of Easement shall be submitted to the Council demonstrating that vehicular and pedestrian access to the site, via the Tesco site, is provided and shall be retained in perpetuity;
 - ii. replacement Tree Planting Contribution (8x Trees at £633.9 p/tree = £5,071.20);
 - iii. monitoring fee (£1,870);
 - iv. Financial contribution towards the ongoing maintenance of the strip of land designated as Adopted Highways Land fronting Cuckoo Hill [£TBC];
 - 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 28 February 2023, 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 ensure unimpeded vehicular and pedestrian access to the site, and failure to secure suitable replacement tree planting would fail to comply with policies CS1 of the Harrow Core Strategy (2011), Policies DM1, DM2, DM21, DM22 and DM23 of the Harrow Development Management Policies (2013) and Policies D3, T5, G5, T6 and T6.1 of the London Plan (2021).

DECISION: REFUSE

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

Councillors Ali, Ashton, Baxter, Stevenson and Wagman voted to refuse the application.

Councillors Assad and Parekh voted abstained from voting.

123. 2/02, 43 Morecambe Gardens, P/4842/21

This application was deferred following Officers' advice, which was agreed unanimously by the Committee.

124. 2/03, 77 Hillview Road, P/3564/22

PROPOSAL: variation of condition 2 (approved plans) attached to planning permission P/3331/16 allowed on appeal reference PP/M5450/W/16/3161002 to allow alterations to elevations.

Councillor Christopher Baxter proposed deferral for the following reasons:

- 1) the application should be deferred until the next Planning Committee meeting to determine at the same time this application and the full planning permission application for retention of these multiple discrepancies.

The proposal was seconded by Councillor Zak Wagman, put to the vote and agreed.

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: DEFER

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

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

Councillors Assad and Parekh voted abstained from voting.

125. 2/04, 2a Charlton Road, P/0721/22

PROPOSAL: redevelopment to provide eight three storey (4 bed) dwellings; parking; bin and cycle stores; vehicle access and landscaping.

The Committee voted and 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 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 a legal agreement under the Section 106 of the Town and Country Planning Act 1990 and other enabling legislation development and issue of the planning permission, subject 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. The S106 agreement Heads of Terms would cover the following matters:
 - a. Payment of £3,000 prior to the commencement of the development for a contribution towards the provision of loading restrictions in the immediate vicinity of the site; this will include design, lining, signing, traffic order making and consultation.
 - b. **LEGAL COSTS, ADMINISTRATION AND MONITORING**
S106 legal and administrative costs.

RECOMMENDATION B

That if, by 28 February 2023 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 ensure appropriate highway signage and implementation of loading restrictions along Charlton Road for unimpeded vehicular and pedestrian access to the site, would fail to comply with policies CS1 of the Harrow Core Strategy (2011), Policies DM1, DM44 and DM50 of the Harrow Development Management Policies (2013) and Policies D2, T6, T7 and T9 of the London Plan (2021).

DECISION: GRANT

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

126. 3/01, 66 Lake View, P/3220/22

PROPOSAL: alterations to the roof; two rooflights in front roof slope; external alterations.

Councillors Marilyn Ashton and Nitin Parekh stated that the proposed development was in a Conservation Area, and would be out of keeping with other properties.

The Committee agreed to accept officer recommendations.

RECOMMENDATION

The Committee was asked to REFUSE planning permission for the following reasons:

- 1) The proposal, by reason of the design of the rear dormer, its fenestration, use of modern materials would fall at odds, be overly dominant and obtrusive, failing to respect or harmonise with the character and appearance of the dwelling house, nor would it preserve or enhance the character or appearance of the dwelling house or part of Canons Park Estate Conservation Area, contrary to the design aspirations of the National Planning Policy Framework (2021), policies D3 and HC1 of the London Plan (2021), Policies CS1.B and CS1.D of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013), the Adopted Supplementary Planning Document Residential Design Guide (2010), and the Supplementary Planning Document Canons Park Estate Conservation Area Appraisal and Management Strategy (2013).

DECISION: REFUSE

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

127. Any Other Urgent Business

Vote of Thanks - Mrinalini Rajaratnam

Councillor Marilyn Ashton, the Chair, led Members in paying tribute to Ms Mrinalini Rajaratnam, from the Legal Department, and Assistant Team Leader for Planning and regeneration, for her professionalism and legal advice during the Committee's deliberations.

Ms Rajaratnam was leaving Harrow Council to join another local authority. She had been at Harrow Council for five years.

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 8.24 pm).

(Signed) Councillor Marilyn Ashton
Chair