
REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

MEETING HELD ON 28 FEBRUARY 2007

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison (4)
 * Mrinal Choudhury * Narinder Singh Mudhar
 * Keith Ferry * Joyce Nickolay
 * Thaya Idaikkadar

* Denotes Member present
 (4) Denotes category of Reserve Member

[Note: Councillors John Nickolay, Paul Scott and Eric Silver also attended this meeting to speak on the items indicated at Minute 49 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
48. Attendance by Reserve Members:

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

Ordinary Member

Councillor Manji Kara

Reserve Member

Councillor Julia Merison

49. 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 items indicated:

| | |
|--------------------------|--|
| Councillor John Nickolay | Agenda item 20 |
| Councillor Paul Scott | Planning Applications 2/12 and 2/13 |
| Councillor Eric Silver | Planning Application 2/04 and agenda item 13 |

(See also Minutes 51, 55, 56 and 60).

50. Declarations of Interest:

RESOLVED: To note the following declarations of interest made by Members present relating to business to be transacted at this meeting:

- (i) Planning application 2/10 – 46 Gordon Avenue, Stanmore
 Councillor Marilyn Ashton declared a prejudicial interest in the above application arising from the fact that she had realised during the site visit that she knew the residents who backed onto the site, and who had objected to the proposed development. Accordingly, she would leave the room and take no part in the discussion or decision-making on the item.
- (ii) Agenda item 13 – 37 Norwood Drive, Harrow
 Councillor Thaya Idaikkadar declared a personal interest in the above application arising from the fact that one of the signatories to the deputation, Paul Levy, had been a Labour candidate approximately five years previously. Accordingly, he would remain in the room and take part in the discussion and decision-making on the item.
- (iii) Agenda item 15 – 76 Formby Avenue, Stanmore
 Councillor Mrinal Choudhury declared a personal interest in the above application arising from the fact that he knew a family who lived on the street. Accordingly, he would remain in the room and take part in the discussion and decision-making on the item.

(See also Minute 55).

51. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

| <u>Agenda item</u> | <u>Special Circumstances/Grounds for Urgency</u> |
|---------------------------------------|---|
| Addendum | This contained information relating to various items on the agenda and was based on information received after the agenda's despatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision. |
| 20. Permitted Development Legislation | In light of the growing number of unacceptable developments being built in the Borough without the need for planning permission, the Chairman wished to discuss Permitted Development rights in order to ask for the Committee's permission to write to the Government and Harrow MPs requesting a review and subsequent revision of the legislation. |

(2) all items be considered with the press and public present.

(See also Minutes 49, 55, 56, 60 and 65).

52. **Minutes:**

RESOLVED: That the Chairman be given authority to sign the minutes of the meeting held on 25 January 2007 as a correct record once printed in the Council Bound Volume.

53. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).

54. **Petitions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).

55. **Deputations:**

Having been advised that a request for a deputation had been formally submitted in accordance with Committee Procedure Rule 17 (Part 4B of the Constitution), the Committee

RESOLVED: That a deputation be received from Mr Paul Levy in relation to agenda item 13 – 37 Norwood Drive, Harrow.

(See also Minutes 49, 51, 56 and 60).

56. **Petition Objecting to Development at 37 Norwood Drive - P/1973/04/DFU: Reference from the Cabinet Meeting held on 18 January 2007:**

The Committee received a reference from the meeting of Cabinet held on 18 January 2007 in the above matter.

RESOLVED: That the petition be noted.

(See also Minutes 49, 51, 55 and 60).

57. **Representations on Planning Applications:**

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/04 and 2/09 on the list of planning applications.

[Note: Subsequently, item 2/04 was deferred for a Member site visit, and the representation was not received].

58. **Planning Applications Received:**

RESOLVED: That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.

59. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed enforcement notices awaiting compliance.

RESOLVED: To note the report.

60. **37 Norwood Drive, Harrow:**

The Committee received a report of the Group Manager (Planning and Development), which detailed the unauthorised conversion of a single-family dwelling into seven flats, each with its own kitchen and bathroom facilities.

The Committee also received a deputation from Mr Paul Levy, who expressed concerns on behalf of residents that the development was out of character for the area and had the potential to cause congestion, parking problems and a build up of rubbish.

Having considered the officer's report and the deputation, the Committee

RESOLVED: That, having regard for the provisions of the Harrow Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Council be authorised to:

(a) take all necessary steps for the preparation, issue and service of an enforcement notice requiring within three calendar months:

- (i) the permanent cessation of the use of the property as seven (7) self-contained flats;
- (ii) the permanent removal of six (6) bathrooms from the property;
- (iii) the permanent removal of six (6) kitchens from the property;
- (iv) the permanent removal from the land of all materials and debris arising from compliance with requirements (ii) and (iii);

(b) in the event of non-compliance with the above enforcement notice, to:

- (i) institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
- (ii) carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

(See also Minutes 49, 51, 55 and 56).

61. **31 Northumberland Road, North Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That the enforcement notice issued on 1 June 2006, that required the demolition of a single storey front extension, and of a part single, part two storey rear extension, be withdrawn.

62. **76 Formby Avenue, Stanmore:**

The Committee received a report of the Group Manager (Planning and Development) in relation to the above.

RESOLVED: That, having regard for the provisions of the Harrow Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Council be authorised to:

(a) take all necessary steps for the preparation, issue and service of an enforcement notice requiring within three calendar months:

- (i) the cessation of the use of the detached outbuilding as two separate residential units;

(b) in the event of non-compliance with the above enforcement notice, to:

- (i) institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
- (ii) carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

63. **35 Turner Road, Edgware:**

The Committee received a report of the Group Manager (Planning and Development) in this regard.

RESOLVED: That, having regard for the provisions of the Harrow Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Director of Legal Services be authorised to:

(a) take all necessary steps for the preparation, issue and service of an enforcement notice requiring within three calendar months:

- (i) the demolition of the detached outbuilding; and
- (ii) the removal of all materials and debris from the land arising from compliance with requirement (i);

(b) issue notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to this alleged breach of planning control;

(c) institute legal proceedings, should it be considered in the public interest to do so, in the event of failure to:

- (i) supply the information required by the Director of Legal Services through the issue of notices under Section 330 of the Town and Country Planning Act 1990; and/or
- (ii) fully comply with the requirements of the enforcement notice.

(See also Minutes 49, 51, 55 and 56).

64. **35 Mount Drive, North Harrow:**

The Committee received a report of the Group Manager (Planning and Development) in relation to the above.

RESOLVED: That, having regard for the provisions of the Harrow Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Council be authorised to:

(a) take all necessary steps for the preparation, issue and service of an enforcement notice requiring within three calendar months:

- (i) the demolition of the rear extension;
- (ii) the removal from the land of the materials arising from compliance with the requirements in (i) above;

(b) in the event of non-compliance with the above enforcement notice, to:

- (i) institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
- (ii) carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

65. **Permitted Development Legislation:**

The Chairman reported that a number of issues had come to light whereby structures had been built in the Borough which complied with permitted development legislation but were of an unsightly design. This was detrimental to the occupiers of neighbouring properties, and appeared to be a loophole in the legislation. The Chairman proposed that she write to the Government on behalf of the Committee expressing concerns in relation to the current legislation.

A Member of the Committee commented that the Department for Communities and Local Government had issued a consultation paper in relation to permitted

development rights on 2 August 2006. The legal officer in attendance advised that this consultation had focused on Article 4 Directions, and therefore it would not have been appropriate to raise concerns of this nature during that consultation.

Having been put to a vote, the Committee

RESOLVED: That the Chairman write to the Government and Harrow MPs requesting a review and subsequent revision of the Permitted Development legislation.

[Notes: (1) Councillors Marilyn Ashton, Don Billson, Julia Merison, Narinder Singh Mudhar and Joyce Nickolay wished to be recorded as having voted in favour of writing the letter;

(2) Councillors Mrinal Choudhury, Keith Ferry and Thaya Idaikkadar wished to be recorded as having voted against writing the letter.

(See also Minute 51).

66. **Member Site Visits:**

RESOLVED: That Member visits to the following sites be arranged to take place immediately following those visits already arranged by the Strategic Planning Committee for Saturday 3 February 2007:

2/04 – 36 Park Drive, Harrow

2/06 – The Power House, 87 West Street, Harrow

(See also Minute 57).

(Note: The meeting, having commenced at 6.30 pm, closed at 9.11 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/3523/06/CCO
LOCATION: The Grove, Warren Lane, Stanmore
APPLICANT: Davies Arnold Cooper for Crest Nicholson (Chiltern) Ltd
PROPOSAL: Retention of amendments to Block C
DECISION: DEFERRED for clarification as to whether (i) there are existing obligations relating to the affordable housing and (ii) the proposed amendments would result in any changes to the affordable housing (eg. room size).

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/2409/06/CFU
LOCATION: South Harrow Telephone Exchange, Northolt Road, South Harrow
APPLICANT: Mr Phillip James
PROPOSAL: Installation of 2 no. pole mounted dishes over roof top and ancillary development
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

LIST NO: 2/02 **APPLICATION NO:** P/2197/06/CFU
LOCATION: Hillside Cottage, Pinner Hill, Pinner
APPLICANT: Simpson McHugh for Mr R Mani
PROPOSAL: Single and two storey rear extension; two rear dormers and extension of patio/decking at rear (revised)
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

 [Note: The Committee wished it to be recorded that the decision to grant this application was unanimous].

LIST NO: 2/03 **APPLICATION NO:** P/3311/06/CCA
LOCATION: Hillside Cottage, Pinner Hill, Pinner
APPLICANT: Simpson McHugh for Mr R Mani
PROPOSAL: Conservation Area Consent: Demolition of detached garage at side
DECISION: GRANTED Conservation Area Consent for the works described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

 [Note: The Committee wished it to be recorded that the decision to grant this application was unanimous].

LIST NO: 2/04 **APPLICATION NO:** P/3023/06/DFU
LOCATION: 36 Park Drive, Harrow
APPLICANT: Redfern Developments
PROPOSAL: Part single, part two storey side to rear extensions, single storey front and rear extensions

DECISION: DEFERRED for a Member site visit
(See also Minutes 49, 57 and 66).

LIST NO: 2/05 **APPLICATION NO:** P/3161/06/CLB
LOCATION: East End Farm Cottages, Moss Lane, Pinner
APPLICANT: Mr Paul Donovan for Mr Peter Havlin
PROPOSAL: Listed Building Consent: Internal and external alterations to create two ensuite bathrooms
DECISION: GRANTED Listed Building Consent for the works described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/06 **APPLICATION NO:** P/3461/06/DFU
LOCATION: The Power House, 87 West Street, Harrow
APPLICANT: Orchard Associates for Sydney Newton plc
PROPOSAL: Second floor extension to form additional office suite (revised)
DECISION: DEFERRED for a Member site visit
(See also Minute 66)

LIST NO: 2/07 **APPLICATION NO:** P/3075/06/DFU
LOCATION: 70 Elm Park, Stanmore
APPLICANT: Jason Read Pugh for Mr M Patel and Miss T Aliehai
PROPOSAL: Single storey side extension, single/first floor/two storey side to rear extension, two storey rear extension
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/08 **APPLICATION NO:** P/2563/06/DFU
LOCATION: Units 4/5 Ballards Mews, High Street, Edgware
APPLICANT: Mr Mohsen Attaran-Khorasani
PROPOSAL: Change of use from car repair workshop to MOT testing station (Class B4 to sui generis)
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/09 **APPLICATION NO:** P/3053/06/DFU
LOCATION: 125 Kingshill Drive, Kenton
APPLICANT: Mr A Modhwadia for Mr Prakash Shah
PROPOSAL: 2 storey side, single storey front, side and rear extensions linking into rear garage
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.
(See also Minute 57).

LIST NO: 2/10 **APPLICATION NO:** P/1597/06/CFU
LOCATION: 46 Gordon Avenue, Stanmore
APPLICANT: A J Ferryman and Associates for Mr & Mrs C Orman
PROPOSAL: Single and two storey rear extension
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

[Notes: (1) The Chairman, Councillor Marilyn Ashton, having declared a prejudicial interest in this item and left the room, Councillor Joyce Nickolay, Vice-Chairman, took the Chair;

(2) at the conclusion of this item, Councillor Marilyn Ashton resumed the Chair].

(See also Minute 50).

LIST NO: 2/11 **APPLICATION NO:** P/3110/06/CFU
LOCATION: 3 Hall Farm Close, Stanmore
APPLICANT: The Construction Management Corp. for Mr and Mrs R S Patel
PROPOSAL: Single storey rear extension
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

LIST NO: 2/12 **APPLICATION NO:** P/2839/06/CFU
LOCATION: Stamford Cottage, Stamford Close, Harrow
APPLICANT: Vision Mill Architects for Tayross Homes Ltd
PROPOSAL: Two storey 4 bedroom detached dwelling house with single garage
DECISION: DEFERRED for officers to provide elevation plans showing how the proposal differs from the previously allowed scheme.

(See also Minute 49).

LIST NO: 2/13 **APPLICATION NO:** P/1874/06/DFU
LOCATION: 7 Clamp Hill, Stanmore
APPLICANT: Jacob Low for Mr Patel
PROPOSAL: Detached outbuilding at rear to provide double garage and storage space
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.

(See also Minute 49).

LIST NO: 2/14 **APPLICATION NO:** P/3628/06/DFU
LOCATION: Land R/O 2, 4 and 6 Uppingham Avenue, Stanmore
APPLICANT: Stephen Donald Architects Ltd for Farman Construction Ltd
PROPOSAL: 2 x 2 storey semi-detached houses fronting Streatfield Road with accommodation in basement and roof; front and rear basement patios; integral garages (revised)

DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:

- (i) The proposal, by reason of inappropriate design, excessive scale and massing of buildings and hardsurfacing, would be out of character, incongruous, at odds with its surroundings and visually obtrusive in the street scene and would amount to an overdevelopment of this restricted site to the detriment of the character of the area and visual amenities of the residents in the locality, contrary to policies SD1 and D4 and D5 of the Harrow Unitary Development Plan.

[Notes: (1) During discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;

(2) the Committee wished it to be recorded that the vote to refuse the application was unanimous;

(3) the Head of Planning had recommended that the above application be granted].

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/3505/06/CFU

LOCATION: Footway to north east of 32 High Street, Harrow on the Hill

APPLICANT: PHA Communications Ltd for Orange PCS Ltd

PROPOSAL: Telecommunications development: 8 metre high mast (slimline pole design) with two antenna and equipment cabinet

DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the reasons reported.
