REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 11 FEBRUARY 2004

Chair: Councillor Anne Whitehead

Councillors: Marilyn Ashton

Knowles Mrs Bath Miles Choudhury

Mrs Joyce Nickolay Idaikkadar Ray (5) Kara Thornton

* Denotes Member present

(5) Denotes category of Reserve Member

[Note: Councillors Anjana Patel and Navin Shah also attended this meeting in a participating role. See Minute 494].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

493. **Attendance by Reserve Members:**

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

Ordinary Member Reserve Member

Councillor Bluston Councillor Ray

494. Right of Members to Speak:

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, Councillors Anjana Patel and Navin Shah, who are not Members of the Committee, be allowed to speak on Item 2/01.

495. **Declarations of Interest:**

RESOLVED: To note the following declarations of interests arising from the business to be transacted at this meeting:

(i) Item 2/01 – Site of Timbers, 41 Brookshill, Harrow Weald (P/2677/03/CVA/GM)

Councillor Marilyn Ashton declared a personal interest in the above application arising from the fact that she knew a resident who lived near the above property. Accordingly she remained and took part in the voting and discussion on this item.

(ii) Item 2/06 - 73 Imperial Drive, North Harrow (P/9/04/CFU/GM)

Councillor Idaikkadar declared an interest in the above application arising from the fact that his GP would be practising from the above premises should the Committee be minded to grant planning permission. Accordingly, he left the room and took no part in the discussion or voting on this item.

Item 2/19 – White Cottage, 2 Whitehall Road, Harrow (P/246/03/CFU/GM) (iii)

Councillor Knowles declared a personal interest in the above application arising from the fact that the above property was situated in a Neighbourhood Watch area which was run/co-ordinated by his partner. Accordingly, he remained and took part in the voting and discussion on this item.

Item 3/02 - 7 Rickmansworth Road, Pinner (P/2582/03/CFU/TEM) (iv)

The Chair, Councillor Anne Whitehead, stated that she would have declared an interest in the above application had it not been withdrawn by the applicant.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/2677/03/CVA

LOCATION: Site of Timbers, 41 Brookshill, Harrow Weald

APPLICANT: Derek & Alan Nash for Mahavir Foundation Ltd

PROPOSAL: Single Storey Replacement Building for Use as Place of Worship and

Religious Instruction (Revised)

DECISION: GRANTED variation(s) in accordance with the development described in

the application and submitted plans subject to the conditions and

informatives reported and the following additional conditions:

<u>Condition 4</u> – Meetings shall only take place within the building and no use shall be made of the landscaped grounds as shown on plan no. 703/10 for purposes of worship of religious instruction or for any festivals or ceremonies.

Reason 4 - To safeguard the appearance and character of the area and the amenity of neighbouring residents.

 $\frac{\text{Condition 5}}{\text{Approved}}$ - Standard Condition LAND_APPR (Landscaping to be

 $\underline{\text{Condition}}$ 6 - Standard Condition LAND_IMPL (Landscaping to be Approved)

<u>Condition 7</u> – Standard Condition MAT_APPR_M(a)(b) (Materials to be Approved)

 $\underline{\text{Condition 8}}$ – The use of the building hereby approved shall only be in accordance with the following times:

08.00 to 20.00 hrs, Mon – Sun inclusive without the prior written permission of the Local Planning Authority

<u>Reason 8</u> - To safeguard the amenity of neighbouring residents.

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector and the applicant's representative.

The objector, who spoke on behalf of 300 local residents living in close proximity of the proposal, argued that the proposed development was not in keeping with the special character of the area, that it infringed the guidelines for development in a green belt area and that it contravened policy E8 of the Council's Unitary Development Plan. He urged Members to refuse the application. He added that there were restrictive covenants in place and that residents would pursue any breaches, if necessary. He also compared the site with the Watford temple.

The representative of the applicant, in response, stated that the proposal before Members that evening had been considerably altered in appearance when compared with the scheme that had been recently refused and that the ornamentation had been changed. He explained that the comparison with the temple in Watford was unfair because the temple there was also the home of the devotees. He added that the proposal before Members would not allow a large number of worshippers to gather there as the premises were very small.

Members did not ask any questions of the objector or the applicant's representative.

(2) During consideration of this item, it was moved and seconded that the application be refused on the grounds that the proposed ornamentation, would give rise to a loss of visual amenity to the neighbouring properties to the detriment of the area of Special Character located within the Green Belt. Upon being put to a vote, this was not carried.

- (3) Councillors Marilyn Ashton, Mrs Bath, Knowles, Mrs Joyce Nickolay and Thornton wished to be recorded as having voted against the decision reached];
- (4) Following consideration and determination of the above planning application, Members nominated Councillor Marilyn Ashton as the 'Nominated Member' who was required to agree the Statement for the Council for the appeal that had been lodged against the decision to refuse the previous application for the above site (minute 518(ii) also refers).

LIST NO: 2/02 **APPLICATION NO:** P/2918/03/COU

LOCATION: 131-133 Whitchurch Lane, Edgware

APPLICANT: Gillett Macleod Partnership for London & District Housing Ltd

PROPOSAL: Outline: Redevelopment to Provide 8 Flats in Two 2 Storey Blocks with

Access and Parking

DECISION: REFUSED permission for the development described in the application and submitted plans for the following reasons:

<u>Reason 1</u> - This proposal would be detrimental to the residential amenities of Nos. 129 and 135 Whitchurch Lane by reason of noise and disturbance from traffic and activity generated by the use of the access road.

Reason $\underline{2}$ - The character and the building line of the row of semi-detached houses would be abruptly interrupted by the gap caused in the street scene by the demolition of two semi-detached houses to the detriment of the character of this section of Whitchurch Lane.

[Notes: (1) Prior to discussing the above application, the Committee received representations from two objectors and the applicant's agent.

The first objector stated that the siting of the rubbish bins was inappropriate and would be only 30m from the rear of her property and only 1m for other properties in the area. She added that there was a dispute regarding the boundary and she read out the communication received from the land registry. She felt that the proposal would devalue her property.

The second objector who had not previously registered his right to speak at the meeting was allowed to address the meeting with the Committee's approval. He objected to the proposal on the grounds that

- it would lead to an increase in noise and traffic pollution;
- it would overlook onto adjoining properties and that, as a result, he would not be able to build a swimming pool in his own garden because there would be no privacy;
- that the proposal would devalue the properties in the area;
- that the use of heavy machinery would lead to disruption.

The applicant's agent addressed the meeting and stated that the report before the Committee addressed all planning matters and that the objections were not based on planning grounds.

Members did not ask any questions of the objector or the applicant's agent.

(2) During the debate which followed, it was moved and seconded that consideration of the above application be deferred to allow Members to visit the site on the grounds that the proposal was essentially a backland development and that a site visit would allow Members to see the distances between properties and assess the impact of the proposal on the amenity of neighbouring properties. Upon a vote this was not carried.

It was further moved and seconded that the application be refused on the grounds that

(1) This proposal would be detrimental to the residential amenities of Nos 129 and 135 Whitchurch Lane by reason of noise and disturbance from traffic and activity generated by the use of the access road.