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## REPORT OF PLANNING COMMITTEE

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### MEETING HELD ON 13 MAY 2009

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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Husain Akhtar \* Thaya Idaikkadar  
 \* Don Billson \* Julia Merison  
 \* Mrinal Choudhury \* Joyce Nickolay  
 \* Keith Ferry

\* Denotes Member present

[Note: Councillor Narinder Singh Mudher also attended this meeting to speak on the item indicated at Minute 3 below].

#### PART I - RECOMMENDATIONS - NIL

#### PART II - MINUTES

##### 1. Appointment of Vice-Chairman:

**RESOLVED:** To appoint Councillor Joyce Nickolay as Vice-Chairman of the Planning Committee for the 2009/2010 Municipal Year.

##### 2. Right of Members to Speak:

The Chairman explained that some London Boroughs limited backbenching to ward Councillors who were directly elected to represent the constituents in their ward.

It was moved and seconded that all four Members who had indicated their wish to speak and who were not Members of the Committee be allowed to speak for three minutes each. This was put to the vote and lost.

It was moved and seconded that one Ward Councillor, who was not a Member of the Committee and had indicated that he wished to speak, be allowed to speak for a maximum of five minutes. This was put to the vote and carried.

**RESOLVED:** That Councillor Narinder Singh Mudhar, Ward Councillor, be allowed to speak for a maximum of five minutes on Planning Application 1/01 (51 College Road, Harrow).

[Note: In the event the item was deferred for a site visit and the Member did not speak.]

##### 3. Declarations of Interest:

**RESOLVED:** To note that the following interests were declared:

###### Item 1/01 – 51 College Road, Harrow

Councillor Navin Shah – personal interest as his bank was on the edge of the town centre. He remained in the room during the discussion on the item.

Councillor Eileen Kinnear – personal interest as she lived and owned property in the town centre. She remained in the room during discussion on the item

###### Item 2/02 – The Sacred Heart Language College, 186 High Street, Wealdstone

Councillor Keith Ferry – prejudicial interest because his daughter attended the school. Accordingly, he would leave the room and take no part in the discussion or decision making process.

###### Item 2/07 – 4 Aylwards Rise, Stanmore

Councillor Marilyn Ashton – prejudicial interest as she had taken a personal interest as the Portfolio Holder. Accordingly, she would leave the room and take no part in the decision making process.

(Councillor Mrs Nickolay took the Chair for the consideration of this application.)

4. **Minutes:**

**RESOLVED:** That (1) the minutes of the Strategic Planning Committee held on 22 April 2009 be taken as read and signed as a correct record;

(2) the minutes of the Development Management Committee held on 30 April 2009 be deferred to the next meeting.

5. **Public Questions and Deputations:**

**RESOLVED:** To note that no public questions were put, or deputations received.

6. **Petitions:**

**RESOLVED:** To note the receipt of the following petitions in regard to Planning Application 1/01 – 51 College Road, Harrow:

- Roxborough Avenue, Roxborough Park and Adjacent Streets - 41 signatures
- Ashburnham Avenue and Ashburnham Gardens - 20 signatures
- The residents and workers of Harrow - 80 signatures
- Residents of Grove Hill Road - 14 signatures
- Old Post Office/Dandara Development - 83 signatures
- Roxborough Road Residents' Association – 79 signatures
- Harrow Hill and other Harrow residents - 71 signatures

7. **References from Council and other Committees/Panels:**

**RESOLVED:** To note that there were no references from Council or other Committees.

8. **Representations on Planning Applications:**

**RESOLVED:** That (1) in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of item 1/01 on the list of planning applications;

(2) in accordance with the provisions of Committee Procedure Rule 18, a maximum of two speakers be permitted to address the Committee on each item and the length of time for representations be for a maximum of five minutes each.

9. **Planning Applications Received:**

In accordance with the Local Government (Access to Information) Act 1985, an Addendum was admitted late to the agenda as it contained information relating to various items on the agenda.

**PLANNING APPLICATIONS**

The Head of Planning submitted reports in relation to the following applications for determination.

**RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out below.

**(1) 51 COLLEGE ROAD, HARROW (APPLICATION 1/01)**

Reference: P/1620/08/RS – (Dandara Limited). Revised Application For Redevelopment To Provide 410 Flats in 3 Blocks Ranging Between 3 & 19 Storeys In Height; 87 Car Parking Spaces In Basement, 3 Parking Spaces At Ground Floor Level; 442 Cycle Spaces, 7 Motorcycle Spaces; 1120 Square Metres Of A1, A2, A3, A4 & B1 Floor Space At Ground Floor Level; Creation of Public Square And Pedestrian Footbridge.

The Committee received representations from two objectors, Irene Wears and John Orchard, and the Applicant's representative, Andrew Wagstaff, which were noted.

The officer advised the Committee that full consideration of this strategic development required that they consider:

- the policy context and consideration of the principle of the development;
- consideration of the context – sensitivities and key physical considerations and potential impacts;

- suitability of the development proposed by the applicants (including consideration of comments received through consultations/ notifications /petitions); and
- the response and impacts of the development in the context of the above and consideration of any mitigation proposed having regard to all information submitted.

In order to undertake this exercise, the officer advised the Committee that they needed:

- a thorough understanding of the planning policy context;
- a clear understanding of the details of the proposed development;
- a clear understanding of the context (local and wider) that the development was proposed to take place within; and
- to be able to use their understanding to consider the weight to be applied to all relevant material considerations in order to reach a decision.

Insofar as securing a full understanding of the context for the development, the officer had benefited considerably from a site visit encompassing a range of locations which had enhanced his understanding.

As a result of the advice from the officer, Members discussed a site visit, to include the vantage points, in order to understand the site, location and its relationship to the wider landscape. It was proposed, seconded and agreed that the application be deferred for a Member site visit. It was agreed that accompanying officers would advise on the location of the development and its appearance from a variety of viewpoints.

**DECISION:** DEFERRED for a Member Site Visit.

*The Committee wished it to be recorded that the voting was as follows:*

*Councillors Husain Akhtar, Marilyn Ashton, Don Billson, Thaya Idaikkadar, Julia Merison and Joyce Nickolay as having supported a site visit and deferral,*

*Councillor Mrinal Choudhury as having abstained and Councillor Keith Ferry having voted against]*

**(2) WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW (APPLICATION 1/02)**

Reference: P/3539/08/RH – (Harrow Council). Approval Of Reserved Matters (Appearance, Scale & Landscaping) Pursuant To Permission P/0892/08/Cou.

In response to questions, the officers advised as follows:

- a further report would be submitted to the Committee on further reserved matters;
- there would be traditional screening along the roadside;
- Millook House would have a rendered panel from the ground;
- the Applicant was Harrow Council and not the officer as stated.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the addendum, subject to the informative reported.

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

**(3) SERVICE STATION, 50-54 NORTHOLT ROAD (APPLICATION 2/01)**

Reference: P/0284/09/RH – (Mr Nicholas Durrant). Two Additional Fifth Floor Flats To Existing Building.

**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended by the Addendum, subject to the conditions and informatives reported.

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

**(4) THE SACRED HEART LANGUAGE COLLEGE, 186 HIGH STREET, WEALDSTONE (APPLICATION 2/02)**

Reference: P/0173/09/LM – (Harrow Council). Construction of New Two Storey Building To Provide Sixth Form Centre; Three New Parking Spaces; Landscaping; Removal Of Existing Single Storey Classroom Building; New 2.1m High Fence

**DECISION:** DEFERRED for a Member Site Visit.

**(5) THE LEAPING FROG, CARMELITE ROAD, HARROW (APPLICATION 2/03)**

Reference: P/0639/09/GL – (Seaview Homes Ltd.). Construction of Nine Two Storey Dwellinghouses In Two Terraces with New Access Road And Boundary Fence; Demolition of Public House.

During the discussion on this item Members raised the issue of the access road and refuse collection which officers responded to as follows:

- the proposal was for the servicing vehicle to reverse in and exit in forward gear;
- the swept path form had been considered by the Transport Team;
- as the access road would be unadopted, it would not be possible to enforce parking restrictions;
- the officers had been unable to secure a view on the length of the lorry from the Waste Management Team subsequent to the briefing with Members;
- the options open to the Committee included deferment for clarification of the radius or the inclusion of a condition to require the access to be capable of accommodating a reversing vehicle although there could be implications for the frontage of properties.

It was noted that a deferment would result in the Applicant being unable to meet the deadline for grant funding.

**DECISION:** GRANTED permission for the development described in the application and submitted plans subject to the conditions and informatives reported and the insertion of an extra condition to read:

The development hereby permitted shall not commence until details of a scheme for the accommodation of refuse collection vehicles at the junction of the proposed access road with Carmelite Road, together with a revised layout for Plot 03 as shown on Drawing No. P11 Rev E, for parking and landscaping, has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been completed in accordance with the approved details and shall thereafter be permanently retained.

**REASON:** To ensure adequate standards of refuse collection and in the interest of residential amenity and pedestrian and highway safety.

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

**(6) 402 KENTON ROAD, HARROW (APPLICATION 2/04)**

Reference: P/4068/08/ML1 – (Mr Karsan Bhudia). Change of Use From Financial And Professional Services To Hot Food Takeaway (Class A2 To A5) With Extract Flue At Rear.

The addition of an informative to encourage the Applicant to satisfy DDA (Disability and Discrimination Act) requirements had been included in the addendum.

The Chairman informed the Committee that consideration was being given to the inclusion of a policy in the Local Development Framework regarding the number of takeaways in an area.

**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.

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

**(7) 439 ALEXANDRA AVENUE, HARROW COUNCIL (APPLICATION 2/05)**

Reference: P/0174/09/SB5 – (Mr Josh Arora). Lower Ground Floor Rear Extension, New Extract Flue At Rear, 6 x Air Conditioning Units On Roof Of Single Storey Projection With Screen Around Roof Edge.

In response to a question, Members were advised that no responses to the consultation had been received subsequent to the finalisation of the officer report. It was noted that the addendum included a revised condition 4. Officers were requested to ensure that the second sentence of the revised condition referred to 'dBA' and not 'LPA'.

**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.

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

**(8) 157-159 VILLAGE WAY, PINNER (APPLICATION 2/06)**

Reference: P/0014/09/SB5 – (RNB Properties). Retention Of Single And Two Storey Building With Accommodation In Roof And Conversion Into Three Terraced Dwellinghouses; Proposed Vehicle Access To Village Way; Retention Of Detached Double Garage At The Rear With Proposed Access To Cannon Lane.

**DECISION:** DEFERRED for a Member Site Visit.

**(9) 4 AYLWARDS RISE, STANMORE (APPLICATION 2/07)**

Reference: P/3603/08/ML1 – (Dr Abhay Shah). Retention Of 4 Airconditioning Units On Rear Elevation, With Acoustic Panel Screen.

The Vice-Chairman took the chair for the consideration of the application.

A Member stated that the technical aspects addressed and exceeded the recommendations of the Appeal Inspector.

**DECISION:** GRANTED permission for the development described in the application and submitted plans subject to the conditions reported.

*The Committee wished it to be recorded that the decision to grant the application was unanimous by those of the Committee able to vote.*

10. **Variation of Section 106 Agreement to Allow for Shared Ownership Units to also be used for Intermediate Rental Accommodation:**

The Committee considered a request from Genesis Housing to vary a section 106 Agreement relating to 354-366 Pinner Road, Harrow dated 10 October 2006 (The Principal Agreement) made between the Council, the developer and a third party.

**RESOLVED:** That a variation of the definition of 'Affordable Housing' in the Principal Agreement to allow some of the Key Worker Shared Ownership Units to be used for either shared ownership or intermediate rental accommodation be agreed.

11. **Planning Appeals Update:**

The Committee received a report from the Head of Planning which listed those appeals being dealt with and those awaiting decision.

**RESOLVED:** That the report be noted.

12. **Enforcement Notices Awaiting Compliance:**

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

**RESOLVED:** That the report be noted.

13. **Member Site Visits:**

**RESOLVED:** That Member Site Visits take place as follows:

(1) on Saturday 13 June 2009 at 9.30 am regarding 51 College Road, Harrow

(2) on Thursday 11 June 2009 at 6.00 pm to the following sites:

- Garages rear of 9-11 Nower Hill, Pinner
- Land to the rear of 9-15 Nower Hill, Pinner
- Heriots, The Common, Stanmore
- The Sacred Heart Language College, 186 High Street, Wealdstone
- 157-159 Village Way, Pinner.

14. **Stanmore College, Elm Park, Stanmore - Section 106 Agreement:**

In accordance with the Local Government (Access to Information) Act 1985, the item was submitted late to the agenda as the Learning and Skills Council (LSC) was currently evaluating and prioritising its development projects throughout the UK and would be meeting to discuss the projects on 3 June 2009. In order that the Stanmore College redevelopment project could demonstrate that it was achievable within the LSC timescales, the College needed to demonstrate that a resolution to grant with the Heads of Terms as requested had been secured. This would assist with the project being brought forward for development at its earliest from a funding perspective.

The report set out a request from Atisreal, the Agent, to delete the fourth section 106 Heads of Terms set out in item 1/02 of the Addendum to the Strategic Planning Committee meeting dated 10 September 2008, which stated that 'Development to be used only by Stanmore College students and staff.'

**RESOLVED:** That (1) the fourth section 106 Heads of Terms which stated that 'Development to be used only by Stanmore College students and staff' be deleted; and

(2) the time to complete the section 106 Agreement be extended by three months from 13 May 2009.

15. **Exclusion of the Press and Public:**

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the item of business listed below on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A to the Act:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
18	Information Item – Urgent Non-Executive Decision – Highway Land, St Thomas' Drive (Near junction with Uxbridge Road, Pinner)	Paragraph 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

16. **INFORMATION ITEM Urgent Non-Executive Decision - Highway Land, St Thomas' Drive (Near Junction with Uxbridge Road), Pinner:**

**RESOLVED:** That the action taken in accordance with the Urgent Non-Executive Decision procedure in relation to Highway Land, St Thomas' Drive (Near Junction with Uxbridge Road), Pinner be noted.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.05 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman