
REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 7 SEPTEMBER 2004

Chair: * Councillor Anne Whitehead

Councillors: * Marilyn Ashton * Janet Cowan
* Mrs Bath * Knowles
* Blann (2) * Miles
* Bluston * Mrs Joyce Nickolay
* Choudhury * Thornton

* Denotes Member present
(2) Denotes category of Reserve Members

[Note: Councillor Mrs Kinnear and Councillor Silver also attended this meeting to speak on the item indicated at Minute 714 below].

PART I - RECOMMENDATIONS**RECOMMENDATION I -Training for Members of Development Control Committee**

Your Committee gave consideration to a report of the Chief Planning Officer which advised that, following an independent review of the Development Control Committee undertaken for the Chief Executive and the recent evaluation of Planning Performance by the Office of the Deputy Prime Minister, arrangements for Development Control Training for Members had been reviewed.

A suggested programme of training was set out and it was further proposed that the Committee recommend to Council that the Committee procedures be amended to ensure that attending an agreed training programme be a requirement of serving on the Development Control Committee. This would come into force once the initial programme had been completed and it was noted that the dates put forward in the officer report would form part of the compulsory requirement.

Members agreed that several different groups of Members would benefit from the courses and requested that the dates be flagged up to Members of the Environment and Economy Scrutiny Sub-Committee. A Member suggested that Group Leaders should also emphasise the importance of attending the courses to their Members.

Resolved to RECOMMEND: (To Council)

That the Committee Procedure Rules for the Development Control Committee be amended to require Members and Reserve Members to have undertaken appropriate course of training prior to them taking seat on the Committee and voting on planning decisions.

(See also Minute 726).

PART II - MINUTES713. **Attendance by Reserve Members:**

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

| <u>Ordinary Member</u> | <u>Reserve Member</u> |
|------------------------|-----------------------|
| Idaikkadar | Blann |

714. **Right of Members to Speak:**

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who are not Members of the Committee, be allowed to speak on the agenda items indicated:

| | |
|------------------------|-----------------------------------------------------------|
| Councillor Mrs Kinnear | Planning Application 2/12, Main Agenda Items 14 and 29(i) |
| Councillor Silver | Planning Application 2/13 |

715. **Declarations of Interest:**

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

- (i) Planning Application 2/12 – Land at 11 Brickfields, Harrow, R/O Byron House
Councillor Knowles declared a personal interest in the above application on the basis that some years previously he had put in an offer to buy Byron House, which was adjacent to the application site. He advised that, for reasons of public perception, he would be leaving the room and taking no part in the discussion or decision-making on this item.

Councillor Mrs Kinnear, who was not a Member of the Committee but whom the Committee had given permission to speak on this item, declared a personal interest in this application arising from her position as a LEA appointed governor at Roxeth School and as Chair of the Governing Body's Finance Sub-Committee. She advised that she would remain and speak on this item.

- (ii) Planning Application 2/18 and 2/19 – 315 Station Road, Harrow
Councillor Knowles declared a personal interest in the above applications arising from the fact that he was a customer of Natwest Bank. Accordingly he remained and took part in the discussion and decision-making on these items.

- (iii) Main Agenda Item 14 – 102-106 High Street, Harrow on the Hill
Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Knowles and Mrs Joyce Nickolay declared a prejudicial interest in the above item arising from the fact that a Member of the Conservative Group owned the freehold to the above property. Accordingly, they left the room and took no part in the discussion or decision-making on this item.

Councillor Mrs Kinnear, who was not a Member of the Committee but whom the Committee had given permission to speak on this item, advised that she believed she did not have a prejudicial interest in the above item as she did not have a close personal relationship with the Councillor in question and she would accordingly remain and speak on this item.

716. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following item/information be admitted to the agenda by reason of the special circumstances and grounds for urgency stated:

| <u>Agenda Item</u> | <u>Special Circumstances/Reasons for Urgency</u> |
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| Addendum | This contains information relating to various items on the agenda and is based on information received after the agenda's dispatch. It is admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision. |

Agenda Item 32 - Prince Edward Playing Fields: Variation of Legal Agreement reference: EAST/148/01/OUT

This item is admitted to the agenda to allow consideration of the legal agreement, which would enable development to be resumed as soon as possible.

and;

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

717. **Minutes:**

RESOLVED: That it be agreed that, having been circulated, the Chair be given authority to sign the minutes of the meeting held on 28 July 2004 as a correct record once they have been printed in the Council Bound Minute Volume.

718. **Public Questions:**

RESOLVED: To note that there were no public questions to be received at this meeting under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).

719. **Petitions:**

RESOLVED: To note the receipt of the following petitions, which were dealt with as indicated:

- Petition Objecting to Planning Application P/1585/04/DFU re 218 Shaftesbury Avenue
Councillor Mrs Kinnear presented the above petition, which had been signed by 11 local residents. The petition was considered with planning application 2/17 on the agenda.
- Petition re Planning Application P/2138/04/CFU re 29 Peterborough Road
Councillor Bluston presented the above petition, which had been signed by 36 local residents. The petition was referred to officers for consideration.

720. **Deputations:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution), the deputation request from Mrs L Benham in relation to Agenda Item 14 be heard

(See Minute 727 – 102, 104, 106 High Street, Harrow on the Hill)

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

RESOLVED: To note that there were no references from Council or other Committees or Panels to be received at this meeting.

722. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution), representations be received in respect of items 2/09, 2/12, 2/13 and 2/17 on the list of planning applications.

723. **Planning Applications Received:**

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

724. **ODPM Evaluation of Planning Performance:**

The Committee received a report of the Chief Planning Officer which advised Members of the outcome of the investigation on the behalf of the Office of the Deputy Prime Minister (ODPM) into the Council's performance as Local Planning Authority, and action proposed arising from this.

It was explained that the investigation had been initiated following the Authority's designation as a 'Standards Authority' for failure to meet ODPM standards for planning performance.

The Committee's attention was drawn to the fact that several pages of the letter from the Office of the Deputy Prime Minister and accompanying report, which had been attached as an appendix to the above officer report, had been omitted from the agenda and a full copy had been circulated under cover of the addendum.

It was noted that considerable improvements to planning performance had been made since the investigation had been conducted in March 2004; For example, the team of officers which dealt with delegated applications had recently been restructured, and the Authority had continued to recruit staff, both of which had contributed to reducing case loads to a more manageable level and to speeding up the processing of planning applications. IT improvements were also being progressed. However, it was emphasised that, if the Authority was to maximise the allocation of the Planning Delivery Grant and not be subject to increased Government engagement and intervention it would need to continue to address those issues set out in the Improvement Plan, which was now to be revised to take into account the recommendations of the ODPM report.

During the discussion which followed, Members highlighted in particular a number of the comments contained in the ODPM report, including the difference of opinion regarding the Authority's performance on appeals and the suggestion that the Political Groups have shared Committee Briefings. Some concern was also expressed that the Authority did not complete S106 agreements within target period.

Whilst a number of Members commented that they felt the ODPM report was, overall, fair, several other Members reiterated their commitment to improving the quality of the planning service, but felt that the Government's 'carrot and stick' approach to achieving this was heavy-handed and that there was too great an emphasis on meeting targets.

Members requested that their comments on the report be forwarded to Cabinet.

It was noted that a further report on this matter would be submitted to the Committee in the Autumn cycle.

RESOLVED: That (1) the report be noted;

(2) the Council's commitment to improvement be confirmed;

(3) the proposed actions be endorsed; and

(4) Member's comments on the report set out above be forwarded to Cabinet.

[REASON: To inform Members of the ODPM concerns and action being taken to address them].

725. **Review of Planning Delegation Scheme:**

The Committee received a joint report of the Borough Solicitor and of the Chief Planning Officer which set out and sought agreement to a new scheme of delegation.

The Committee's attention was drawn to the fact that, further to cross party discussions following the publication of the agenda, further consideration had been given to amending the scheme of delegation and a revised schedule of delegation was set out at appendix 4 to the officer report, circulated under cover of the addendum for the meeting, replacing that circulated at appendix 1 to the officer report on the main agenda.

The Chief Planning Officer outlined the content of the revised scheme and explained the reasoning behind the changes proposed, in particular highlighting the outcome of the evaluation of planning performance recently undertaken by the Office of the Deputy Prime Minister.

It was noted that, if the Committee agreed the new scheme, a further report, analysing the effectiveness of the scheme, be submitted to the Committee in six months time. A Member requested that a copy of both the report before the Committee that evening and the update report be submitted in six months time also be submitted to the Best Value Advisory Panel.

During the discussion which followed, several amendments to the revised scheme were proposed. Firstly, it was formally moved and seconded that all references to 400m² at paragraphs 5(c), 6 and 8 of the revised scheme be replaced by 300m². Upon being put to a vote this was not carried. Councillors Marilyn Ashton, Mrs Bath, Janet

Cowan, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the amendment.

It was then moved and seconded that paragraph 8(a), which referred to the exclusion from the scheme of delegation of applications for the change of use to Class A3 uses and which provision had been deleted from the revised scheme before Members, be reinstated. Upon being put to a vote this was also not carried. Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the amendment.

Officers advised verbally of a minor amendment to the revised scheme; that all references to 'The Borough Solicitor' be replaced with 'The Borough Solicitor or his duly appointed representative'. This was agreed by general consensus. Upon a further vote on the substantive motion, as amended, it was

RESOLVED: That (1) it be agreed to give delegated authority to the Chief Planning Officer to determine applications as set out in the Revised Scheme of Delegation set out Appendix 4 to the officer report, circulated under cover of the Addendum, subject to the amendment of the scheme to replace all references to 'The Borough Solicitor' with 'The Borough Solicitor or his duly appointed representative';

(2) it be noted that no changes have been recommended to the delegations to enforcement; and

(3) it be noted that a further report will be submitted in due course with recommendations for improving enforcement provisions.

[REASON: To agree an appropriate replacement scheme in the light of continuing concerns regarding meeting Government planning targets and the threat of ODPM intervention if performance is not improved and sustained].

726. **Training for Members of Development Control Committee:**

Further to Recommendation I above it was

RESOLVED: That the training programme set out in paragraph 6 of the officer report be agreed.

[REASON: To provide Members of the Development Control Committee with appropriate training to assist them in fulfil their responsibilities].

727. **102, 104, 106 High Street, Harrow on the Hill:**

The Committee received a joint report of the Chief Planning Officer and of the Borough Solicitor regarding an unauthorised telecommunications micro-system, comprising an equipment cabin sited to the rear of 104 High Street, and two wall mounted microcell antennae on the front wall of 102 and the flank wall of 106 High Street, Harrow on the Hill.

The report considered the appropriateness of initiating enforcement action against the above, setting out relevant government advice, and concluded that it was unlikely that such action would be successful as the antennae did not appear to be detrimental to the character or appearance of the Harrow on the Hill Village Conservation Area, or the Locally Listed Building to which they were fixed.

It further recommended that the Committee, having weighed up the representations regarding health and the perception of health effects, having had regard to the survey carried out by a consultant in March 2004 and the Committee's previous decision in respect of this property, and also having taken into account the policy guidance in PPG8 and PPG15, agree that it would not be appropriate to undertake formal enforcement action on these grounds.

Prior to discussing this report, the Committee received a deputation from a local resident. The depute challenged the officer recommendation, arguing that the report did not present a balanced argument. She pointed out that PPG8 stated that health considerations and public concern could constitute material considerations and argued that the Committee could be in no doubt that there was a great deal of public concern regarding the health impact of the telecommunications equipment, particularly given the representations made on this matter by local residents at the meeting of the Committee held in March when the issue of the installation of a mobile phone base station at the above property had been considered.

She noted the statement that the emissions from the equipment complied with ICNIRP guidelines but pointed out that the readings had been taken in March and the microcell had not come into full use until July and the readings might therefore now be higher. She further expressed concern that, as there were a number of masts situated in the area, the cumulative emissions should be investigated.

Lastly, the depute voiced concern that the local residents and nearby school had not been consulted prior to formulating the recommendation on this matter. She urged the Committee to reject the officer recommendation.

During the discussion which followed, Members noted that no consultation of the local community on the microcells had taken place as the operator had not submitted a planning application for the equipment, but commented that operators were also required to undertake such consultation by the relevant code of practice issued by the Government and under the provisions of PPG8. They queried whether action could be taken to ensure that operators met their responsibilities under these.

They also noted the depute's comments re the validity of the readings taken in March and agreed that current readings from the microcell and information regarding the potential highest emissions of the microcell should be obtained. They agreed that the cumulative effect of emissions of telecommunications equipment in the area also be investigated and further legal advice then be sought.

Following representations from a Ward Member queries were also raised whether, if a number of masts were located in the vicinity, this constituted a base station.

It was

RESOLVED: That decision on this matter be deferred to allow officers to investigate the points raised above and submit a further report on this matter to a future meeting of the Committee.

(See also Minute 715: Declarations of Interest).

728. **Tree Preservation Order (TPO)745 Brookshill (No. 7) Harrow Weald:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 'Brookshill Gate', 'North Lodge', 'Wykeham', 'Roxey', 'Oak Cottage' and 'Oak Lodge', Brookshill, Harrow Weald.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 745 Brookshill (No. 7), Harrow Weald, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 10, Area 30 and TPO 237 Brookshill (No. 2), Harrow Weald on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

729. **Tree Preservation Order (TPO)746 Terrilands (No. 1) Pinner:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 1-9 Terrilands, 181, 183 and 'The Old Coach House' Moss Lane, and 1-11 Wakehams Hill, Pinner.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 746 Terrilands (No. 1), Pinner, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 8 Pinner Court, Moss Lane, Pinner on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

730. **Tree Preservation Order (TPO)747 Peterborough Road (No. 3), Harrow on the Hill:**
The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 'Heathfield', Peterborough Road and 'The Gables', Grove Hill, Harrow on the Hill.
- RESOLVED:** That the Borough Solicitor be authorised to
- (1) make a new Tree Preservation Order (TPO) to be known as TPO 747 Peterborough Road (No. 3), Harrow on the Hill, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and
- (2) revoke TPO 299, Peterborough Road (No. 1), Harrow on the Hill on confirmation of the above.
- [REASON: To accord with current policy (see paragraph 6.2 of the officer report)].
731. **Tree Preservation Order (TPO)748 London Road (No. 4) Canons:**
The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 70-94 London Road, 17-32 Kerry Court and 2 Kerry Avenue, Canons.
- RESOLVED:** That the Borough Solicitor be authorised to
- (1) make a new Tree Preservation Order (TPO) to be known as TPO 748 London Road (No. 4), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and
- (2) revoke TPO 10, Area 45 on confirmation of the above.
- [REASON: To accord with current policy (see paragraph 6.2 of the officer report)].
732. **Tree Preservation Order (TPO)749 London Road (No. 5) Canons:**
The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 60-64 London Road, 'Braemont' and 'The White House', Reenglass Road and 7-9 Berry Hill, Canons.
- RESOLVED:** That the Borough Solicitor be authorised to
- (1) make a new Tree Preservation Order (TPO) to be known as TPO 749 London Road (No. 5), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and
- (2) revoke TPO 10, Area 45 on confirmation of the above.
- [REASON: To accord with current policy (see paragraph 6.2 of the officer report)].
733. **Tree Preservation Order (TPO)750 Dennis Lane (No. 7) Canons:**
The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 40-46 and 'Burlington Park House', Dennis Lane and Oakmead Court, Valencia Road.
- RESOLVED:** That the Borough Solicitor be authorised to
- (1) make a new Tree Preservation Order (TPO) to be known as TPO 750 Dennis Lane (No. 7), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and
- (2) revoke TPO 10, Area 44 on confirmation of the above.
- [REASON: To accord with current policy (see paragraph 6.2 of the officer report)].
734. **Tree Preservation Order (TPO)751 Valencia Road (No. 2) Canons:**
The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 18-24 Valencia Road and 4 'Cahreston', Knights Road, Canons.
- RESOLVED:** That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 751 Valencia Road (No. 2), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 10, Area 44, Stanmore on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

735. **Tree Preservation Order (TPO)752 Valencia Road (No. 3) Canons:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising 12-16 Valencia Road and 'Kerry House', Kerry Avenue.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 752 Valencia Road (No. 3), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 10, Area 44 on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

736. **Tree Preservation Order (TPO)753 The Common (No. 4) Stanmore Park:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the area comprising Magpie Hall Road, Heathbourne Road and The Common, Stanmore Park.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 753 The Common (No. 4), Stanmore Park, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 10, Area 42 and Woodland 2 on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

737. **Tree Preservation Order (TPO)754 Sudbury Hill (No. 5) Harrow on the Hill:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for St George's Roman Catholic First and Middle Schools, Harrow on the Hill.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 754 Sudbury Hill (No. 5), Harrow on the Hill, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 12, Harrow on the Hill (comprehensive) on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

738. **Tree Preservation Order (TPO)782 Valencia Road (No. 4) Canons:**

The Committee received a report of the Chief Planning Officer regarding a new, detailed Tree Preservation Order (TPO) proposed for the land behind 2-24 Valencia Road, Oakmead Court, Burlington Park House and 44-46 Dennis Lane, Canons.

RESOLVED: That the Borough Solicitor be authorised to

(1) make a new Tree Preservation Order (TPO) to be known as TPO 782 Valencia Road (No. 4), Canons, pursuant to Sections 198 and 201 of the Town and Country Planning Act 1990, to protect those trees identified on the map and schedule attached to the officer report; and

(2) revoke TPO 10, Area 44 on confirmation of the above.

[REASON: To accord with current policy (see paragraph 6.2 of the officer report)].

739. **Action Taken Under the Urgent Non-Executive Decision Procedure:**
The Committee received a report of the Borough Solicitor outlining action taken by the Chief Planning Officer following consultation with the Chair and Nominated Members of the Development Control Committee, since the meeting of the Committee held on 28 July 2004, under the Urgent Non-Executive Action Procedure.
- RESOLVED:** To note the following action, taken under the Urgent Non-Executive Action Procedure:
- Subject: Legal Agreement re North London Collegiate School
- Action Proposed: That the amended plan supplied at Appendix C to the Urgent Non-Executive Decision be authorised for inclusion within the above legal agreement.
- Reason for Urgency: The applicant had been successful in raising funds for this project and wished to commence development as soon as possible, but could not do so without Planning Permission and a S106 agreement. The next meeting of the Development Control Committee at which the inclusion of the amended plan in the S106 Agreement could be authorised was not until 7 September 2004.
- Decision: Officer Recommendation agreed.
740. **Prince Edward Playing Fields : Variation of Legal Agreement reference: EAST/148/01/OUT:**
The Committee gave consideration to a report of the Chief Planning Officer which proposed changes to the Community Use Agreement which was part of the Section 106 agreement in respect of the above site.
- A further proposed change was also set out on the addendum and the Committee were notified verbally of a further amendment to correct a typographical error in the Agreement – it was advised that paragraph 5.2 of the officer report and the first row of the schedule of proposed amendments to the agreement, set out at appendix II to the officer report, should read ‘and 80%...’ not ‘or 80%...’.
- It was
- RESOLVED:** That it be agreed to vary the terms of the Community Use Agreement attached to the Section 106 Agreement as set out in the schedule at appendix II to the officer report, subject to the amendment set out above.
741. **Planning Appeals Update:**
The Committee received a report of the Chief Planning Officer which listed those appeals being dealt with and those awaiting decision.
- RESOLVED:** That the report be noted.
742. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Chief Planning Officer which listed those enforcement notices awaiting compliance.
- RESOLVED:** That the report be noted.
743. **Telecommunications Developments:**
The following telecommunications applications were reported on the agenda:
- (i) Location: 90 Osmond Close, South Harrow
- Proposal: Provision of 3 antennas and equipment housing with associated works on roof, P/2188/04/CDT.
- RESOLVED:** That (1) prior approval of siting and appearance BE REQUIRED; and
- (2) approval of details of siting/appearance be REFUSED for the following reason and subject to Standard Informative 41 – UDP Policies and Proposals (SD1, D4, D24):
- The proposed development would give rise to a proliferation of telecommunications equipment on the roof of 90 Osmond Close, to the detriment of the visual amenity of neighbouring residents and the locality.

- (ii) Location: Outside Leefe Robinson VC Public House, 76 Uxbridge Road, Harrow Weald

Proposal: Provision Of 12m High Column Antenna With 3 Equipment Cabinets, P/2224/04/CDT.

RESOLVED: That (1) prior approval of siting and appearance BE REQUIRED; and

(2) approval of details of siting/appearance be REFUSED for the following reason and subject to Standard Informative 41 – UDP Policies and Proposals (SD1, D4, D24):

The proposed development, by reason of its proximity to existing similar telecommunications equipment and street furniture, would give rise to a proliferation of such apparatus to the detriment of the visual amenity and appearance of the street scene and the area in general.

744. **Determination of Demolition Applications:**

RESOLVED: To note that there were no Demolitions Applications which required consideration.

745. **Extensions to and Termination of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution) it was

RESOLVED: At (1) 10.00 pm to continue until 10.30 pm;

(2) 10.30 pm to continue until 11.00 pm;

(3) 11.00 pm to continue until 11.30 pm;

(4) 11.30 pm to continue until 11.40 pm;

(5) 11.40 pm to continue until 11.45 pm;

(6) 11.45 pm to continue until 11.50 pm; and

(7) 11.50 pm to continue until 11.55 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.55 pm).

(Signed) COUNCILLOR ANNE WHITEHEAD
Chair

SECTION 1 – MAJOR APPLICATIONS

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|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|
| LIST NO: | 1/01 | APPLICATION NO: | P/1676/04/CFU |
| LOCATION: | Former Railway Hotel/Public House Site, 375-379 Uxbridge Road, Hatch End | | |
| APPLICANT: | N P Taylor for Gladheath Ltd | | |
| PROPOSAL: | 4 Storey Building, Retail on Ground Floor, 12 Flats above and 10 Houses in 2 & 3 Storey, Terraces at Rear, Access and Parking. | | |
| DECISION: | REFUSED permission for the development described in the application and submitted plans for the reason(s) reported and subject to the informative(s) reported. | | |

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

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|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------|
| LIST NO: | 2/01 | APPLICATION NO: | P/711/04/CFU |
| LOCATION: | Rustington, 49 The Common, Stanmore | | |
| APPLICANT: | Andrew Neil Associates for Silverbay Investments | | |
| PROPOSAL: | Provision of Double Car Port | | |
| DECISION: | GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported, and the following amended condition reported on the Addendum and agreed by the Committee: Amend Condition 5 to read: “5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification)...” | | |

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|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|
| LIST NO: | 2/02 | APPLICATION NO: | P/2065/04/CFU |
| LOCATION: | 6 Kerry Avenue, Stanmore | | |
| APPLICANT: | Christian Ennels for Mr & Mrs J Levy | | |
| PROPOSAL: | Single Storey Side Extension | | |
| DECISION: | GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported. | | |

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|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|
| LIST NO: | 2/03 | APPLICATION NO: | P/1707/04/CFU |
| LOCATION: | 30 Nelson Road, Harrow | | |
| APPLICANT: | Miss Therese McKenna | | |
| PROPOSAL: | Renewal of Planning Permission WEST/297/99/FUL for Two Storey Rear Extension. | | |
| DECISION: | GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported. | | |

LIST NO: 2/04 **APPLICATION NO:** P/795/04/CFU
LOCATION: 20 Wellington Terrace, Harrow
APPLICANT: Top Flight Loft Conversions for Mr & Mrs Leedham
PROPOSAL: Provision of Rear Dormer and Rooflight
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

LIST NO: 2/05 **APPLICATION NO:** P/1795/04/CFU
LOCATION: 7 Handel Close, Edgware
APPLICANT: Steven Marcus
PROPOSAL: Single Storey Rear Extension
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

LIST NO: 2/06 **APPLICATION NO:** P/1168/04/CFU
LOCATION: 58-62 High Street, Harrow on the Hill
APPLICANT: Heseltons Solicitors for David Heselton
PROPOSAL: Change of Use: Offices (B1) to Residential (C3) in Form of Conversion to Provide 2 Flats.
DECISION: DEFERRED at officers' request in order to obtain the view of the CAAC.

LIST NO: 2/07 **APPLICATION NO:** P/633/04/DFU
LOCATION: Alleys Adj. To Nos. 1 & 47 Newnham Way, 2 & 48 Radley Gardens
APPLICANT: Mrs Jennifer Sillwood for CRNS
PROPOSAL: Retention of Gates at Alley Entrances.
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

[Note: The Committee wished it to be noted that whilst they felt the above development was acceptable, better outcomes could be achieved for all concerned if applicants discussed their proposals with officers prior to commencing work on them].

LIST NO: 2/08 **APPLICATION NO:** P/1993/04/CFU
LOCATION: Land R/O 132 Butler Road, Harrow
APPLICANT: White Associates for R & J Landscapes (London) Ltd
PROPOSAL: Pair of Semi-Detached Houses and Detached Bungalow with Access and Parking (Revised).
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

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| LIST NO: | 2/09 | APPLICATION NO: | P/1630/04/DFU |
| LOCATION: | 27 Beaufort Avenue, Harrow | | |
| APPLICANT: | K Sisodia for Mr B Lagan | | |
| PROPOSAL: | Conversion of House to Two Self-Contained Flats | | |
| DECISION: | <p>REFUSED permission for the development described in the application and submitted plans for the following reason(s) and subject to Standard Informative 41 – UDP Policies and Proposals:</p> <ol style="list-style-type: none"> 1. The proposed underprovision in parking by one space would give rise to overspill parking, to the detriment of the amenity of neighbouring residents 2. The additional dwelling would give rise to increased noise and activity which would be detrimental to the amenity of neighbouring residents. 3. The lack of access to the rear garden from the first floor flat is unacceptable in this location. <p>[Note: Prior to discussing the above application the Committee received representations from an objector and the applicant.</p> <p>The objector, who was a local resident, considered that the proposed parking provision was inadequate and that the development would exacerbate existing traffic and parking problems. He emphasised that the emergency services already experienced difficulties in accessing the road. He argued that the conversion would be of poor quality with thin walls and he also expressed concern that the development would be out of character with the surrounding area as there were no other converted properties in the vicinity, and would disturb the tranquillity of the road. For all these reasons he considered that the proposed development would have a detrimental impact on the amenity of local residents.</p> <p>In response, the applicant argued that the parking provision was adequate and pointed out that the site was placed for local transport links. She argued that the conversion would be well proportioned and the appearance of the site would be considerably improved given that the property was currently derelict. She also pointed out that the development would provide much needed affordable housing.</p> <p>(2) The Chief Planning Officer had recommended that the above application be granted.</p> <p>(3) Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the decision to refuse this application].</p> | | |

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| LIST NO: | 2/10 | APPLICATION NO: | P/2469/03/CFU |
| LOCATION: | Grimsdyke Hotel, 23 Old Redding, Harrow Weald | | |
| APPLICANT: | Farrell & Co for Grimsdyke Hotel | | |
| PROPOSAL: | Single Storey Rear Extension to Grimsdyke Lodge. | | |
| DECISION: | GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported. | | |

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| LIST NO: | 2/11 | APPLICATION NO: | P/1794/04/CVA |
| LOCATION: | 1 Kenton Park Road, Harrow, Cricket and Tennis Club | | |
| APPLICANT: | Margot Best | | |
| PROPOSAL: | Variation of Condition 2 of Planning Permission EAST/151/98/CON to allow Increase in Children from 24 to 30. | | |
| DECISION: | GRANTED variation(s) as reported and in accordance with the development described in the application, subject to the informative(s) reported. | | |

LIST NO: 2/12 **APPLICATION NO:** P/1606/04/CFU
LOCATION: Land at 11 Brickfields, R/O Byron House, Harrow
APPLICANT: Robin Bretherick Associates for C Foster
PROPOSAL: Construction of Two Storey Detached House and Garage
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

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

The objector thanked the Members for recently conducting a visit to this site and added that she hoped it had given them an appreciation of this Area of Special Character and the setting of the listed building.

The objector noted that the principle of a detached house being located on the lower part of the site had been accepted by an inspector at a previous appeal, but argued that the proposal before the Committee was not just confined to the lower part of the site and that the inspector had had in mind a smaller development, such as a bungalow. She argued that the proposal did not conform with English Heritage's Guidelines for such locations as its size, bulk and inappropriate design would detract from the Area of Special Character and the adjacent listed building, and she further expressed concern that the ultra-modern design of the proposal would be out of keeping with the area, that the building was not obviously residential in appearance and that there were issues around over-looking. She also referred to concerns that vehicles accessing the site would represent a safety hazard to children and other pedestrians walking to and from the nearby school.

The objector drew the Committee's attention to the strength of local opinion on the proposed development and advised that both a local newspaper and the local MP opposed the application.

In response, the representative of the applicant rejected the objection regarding highway safety and pointed out that the Council's traffic engineers had raised no concerns regarding the access arrangements. He added that an inspector had also looked at this issue at a previous appeal.

The representative pointed out that the Borough's UDP adopted a designed approach to planning and encouraged innovative design, and that the Council's planning officers fully supported the scheme. He explained that the proposal made good use of the topography of the land to minimise the impact on the setting of Byron House, a listed building, and rejected the statement that an inspector had stated that a bungalow specifically would constitute an appropriate form of development for the site.

Following the receipt of the above representations, the Committee asked a number of questions of the applicant.

(2) During the discussion which followed, it was formally moved and seconded that the application be refused for the following reasons:

1. The proposed development would be out of character and would not preserve or enhance the character of the Roxeth Hill Conservation Area and Area of Special Character and the ultra-modern design would be visually obtrusive and at odds with its surroundings.
2. The access to the site would be detrimental to the amenity of the pupils at Roxeth first and Middle School and it would endanger the children's pedestrian access to the school in respect of highway safety.
3. The proposed development would be detrimental to the residential amenity of Garden House by reason of its close proximity, and would give rise to a loss of residential amenity.

Upon being out to a vote, this was not carried.

(3) The vote on the above motion was not carried upon the Chair exercising her extra, casting vote;

(4) The vote on the substantive motion to grant the above application was carried upon the Chair exercising her extra, casting vote].

(See also Minute 714: Right of Members to Speak and Minute 715: Declarations of Interest)

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| LIST NO: | 2/13 | APPLICATION NO: | P/921/04/DFU |
| LOCATION: | 25 Hawthorn Drive, Harrow | | |
| APPLICANT: | Mel-Pindi for Bison Ltd | | |
| PROPOSAL: | Conversion of Dwelling into Two Flats with Two Storey Side, Single Storey Front and Rear Extension. | | |
| DECISION: | <p>REFUSED permission for the development described in the application and submitted plans for the following reasons and subject to Standard Informative 41 – UDP Policies and Proposals:</p> <ol style="list-style-type: none"> 1. The proposed under provision in parking would give rise to overspill parking on this busy and narrow road to the detriment of highway safety and to the loss of residential amenity. 2. The proposed development would give rise to increased noise and activity which would be detrimental to the amenity of neighbouring residents. | | |

[Notes: (1) Prior to discussing the above application, the Committee received a representation from an objector who spoke on behalf of a number of local residents.

The objector informed the Committee that the application site was not in fact wider than surrounding properties, as claimed, and that the proposed development was unsuitable for this location and would dwarf and overshadow the neighbouring bungalow. He argued that it would change the character of the road and would set a precedent for the conversion of properties in the road into flats. He further argued that there would be an under provision of parking and the development would exacerbate existing parking problems. For these reasons he considered that the development would be detrimental to the amenity of neighbouring residents. He urged the Committee to reject the application.

Following the receipt of the above representation, the Committee asked a number of questions of the objector.

There was no indication given that the applicant was present and wished to respond.

(2) The Chief Planning Officer had recommended that the above application be granted;

(3) Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the decision to refuse the above application;

(4) Councillors Bluston, Miles and Anne Whitehead wished to be recorded as having voted against the decision to refuse the above application].

(See also Minute 714: Right of Members to Speak)

LIST NO: 2/14 **APPLICATION NO:** P/1249/04/DFU

LOCATION: 5 Georgian Way, Harrow

APPLICANT: Wastell & Porter Architects for Casio Holdings

PROPOSAL: Replacement Detached House of Two and Three Storeys

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported, and the following additional informative agreed by the Committee:

6. The applicant is advised that, in implementing the landscaping and tree protection conditions, [particular regard is had to the retention of the existing tree screen along the boundary with numbers 2,3 and 4 Georgian Way.

LIST NO: 2/15 **APPLICATION NO:** P/1779/04/CVA

LOCATION: Headstone Lawn Tennis Club, 20 Hillfield Close, Harrow

APPLICANT: Mrs Julia Ginger

PROPOSAL: Variation of Condition 2 of Planning Permission P/1564/03/CCO dated 15 September 03 to Permit Use of Floodlighting between 09.00 and 21.30 hours Monday-Sunday inclusive.

DECISION: GRANTED variation(s) as reported in accordance with the development described in the application and submitted plans and subject to the informative(s) reported.

LIST NO: 2/16 **APPLICATION NO:** P/1/04/CFU

LOCATION: Moon and Sixpence Public House, 250 Uxbridge Road, Hatch End

APPLICANT: Lawrence Beckingham Field Arch for J D Wetherspoon PLC

PROPOSAL: Enclosure of Forecourt and Use as External Seating Area

DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported and the following additional Condition set out on the Addendum and agreed by the Committee:

4. Prior to the use of the forecourt as a sitting out area as hereby approved, the curtilage of the forecourt shall be defined with the provision of metal studs.

REASON: To ensure that no obstruction of the public highway occurs.

LIST NO: 2/17 **APPLICATION NO:** P/1585/04/CFU

LOCATION: 218 Shaftesbury Avenue, South Harrow

APPLICANT: Ada Architecture for Mr Azhar Aslam

PROPOSAL: Conversion to Four Self-Contained Flats with Alterations to Vehicular Accesses and Two Storey Side to Rear Extensions, Single Storey Rear Extension and Rear Former.

DECISION: REFUSED permission for the development described in the application and submitted plans for the following reasons and subject to Standard Informative 41 – UDP Policies and Proposals:

1. The proposed development, by reason of the excessive number of units with the associated disturbance and activity, would result in an overintensive use and amount to overdevelopment of the site, to the detriment of neighbouring residents.

2. The space provided for parking is inadequate in size for the number of parking spaces, which do not provide room for manoeuvre and, given the present highway and traffic conditions, would be likely to have an adverse effect on highway and safety movement.

[Notes: (1) Prior to discussing the above application, the Committee received a representation from an objector who spoke on behalf of a number of local residents.

The objector emphasised that she did not object to the principle of family housing but felt this development was too big for the site. She advised that she would like to see the number of proposed units reduced, for example by bringing the first floor extension into line with the rest of the building. She argued that it was unrealistic to expect that occupiers of the flats would not use cars, and, given that the on-site parking provision was inadequate, the pressure on on-street parking would increase and exacerbate the parking problems on this already very congested road.

Following the receipt of the above representation, the Committee asked a number of questions of the objector.

There was no indication given that the applicant was preset and wished to respond.

2) The Chief Planning Officer had recommended that the above application be granted;

(3) Councillors Marilyn Ashton, Mrs Bath, Janet Cowan, Knowles and Mrs Joyce Nickolay wished to be recorded as having voted in favour of the decision to refuse the above application;

(See also Minute 719: Petitions).

LIST NO: 2/18 **APPLICATION NO:** P/1075/04/CFU
LOCATION: 315 Station Road, Harrow
APPLICANT: Lewis & Hickey Architects Ltd for Royal Bank of Scotland Group
PROPOSAL: Installation of Ramp with Associated Handrails and Steps, Provision of External Lighting and Relocation of A.T.M.
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

(See also Minute 715: Declarations of Interest).

LIST NO: 2/19 **APPLICATION NO:** P/1076/04/DLB
LOCATION: 315 Station Road, Harrow
APPLICANT: Lewis & Hickey Architects Ltd for Royal Bank of Scotland Group
PROPOSAL: Listed Building Consent: New Steps and Ramp to Front and Side, Relocation of Cash Machines and Internal Alterations.
DECISION: GRANTED Listed Building Consent in accordance with the works described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

(See also Minute 715: Declarations of Interest).

LIST NO: 2/20 **APPLICATION NO:** P/1526/04/CFU
LOCATION: 3 Buckingham Parade, The Broadway, Stanmore
APPLICANT: Mahmut Hilmi – Architects for Mr Sailesh Amlani
PROPOSAL: Change of Use: Class A1 to A2 (Retail to Financial and Professional Services).
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

LIST NO: 2/21 **APPLICATION NO:** P/1708/04/CFU
LOCATION: 54 Roxborough Park, Harrow
APPLICANT: G M Simister for Mrs C Miller
PROPOSAL: Replacement Rear Dormer with Rooflights at Front (Revised)
DECISION: GRANTED permission in accordance with the development described in the application and submitted plans, subject to the condition(s) and informative(s) reported.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/934/04/CFU
LOCATION: Eastcliff, 4 Brookshill Drive, Harrow
APPLICANT: Mrs S Tobias
PROPOSAL: Retention of Single Storey Side Extension
DECISION: REFUSED permission for the development described in the application and submitted plans for the reason(s) reported and subject to the informative(s) reported.
