

PLANNING COMMITTEE

MINUTES

14 DECEMBER 2011

Chairman: * Councillor Keith Ferry

Councillors: * Stephen Greek * Joyce Nickolay
* Thaya Idaikkadar * Bill Phillips
* Ajay Maru (2) * Anthony Seymour

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

206. Appointment of Member to the Planning Committee

RESOLVED: That the appointment of Councillor Sachin Shah to the Planning Committee for the remainder of the Municipal Year 2011/12, in place of Councillor William Stoodley, be noted.

207. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Sachin Shah

Councillor Ajay Maru

208. 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

Planning Application

Ben Wealthy

1/01 Tesco Supermarket, Station Road,
Harrow, HA1 2TU

Marilyn Ashton

2/06 3 West Drive Gardens, Harrow, HA3
8EX

In the event the Members were not heard as application 1/01 was deferred for a site visit and Councillor Marilyn Ashton was not in attendance.

209. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 2/07 – 10-16 Byron Road, Wealdstone, HA3 7ST

Councillors Keith Ferry, Thaya Idaikkadar, Ajay Maru and Bill Phillips declared a personal interest in that the company across the road from the application site was associated with the Labour Party. They would remain in the room whilst the matter was considered and voted upon.

210. Minutes

RESOLVED: That the minutes of the meeting held on 16 November 2011 be taken as read and signed as a correct record.

211. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting.

212. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

213. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of items 1/01 and 2/06 on the list of planning applications.

[Note: Planning application 1/01 was subsequently deferred, and so the representations on that item were not received].

RESOLVED ITEMS

214. Planning Applications Received

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

received after the despatch of the agenda. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

The Committee was informed that the Inspector's report, which was binding, following the Examination in Public of the draft Harrow Core Strategy, was received on 13 December 2011 and had found that the Core Strategy was sound. The draft Core Strategy now carried significant weight and was a material consideration in all planning decisions by the Council.

RESOLVED: That authority be given to the Divisional Director, Planning to issue the decision notices in respect of the applications considered.

**TESCO SUPERMARKET, STATION ROAD, HARROW, HA1 2TU
(APPLICATION 1/01)**

Reference: P/0832/11 – (Tesco Stores Ltd). Proposal: Two Storey Extension to Front Side and Rear of Store; Decked Car Park at First Floor Level over Existing Car Park; New Four Storey Building to Provide Four Mixed Use Units of Retail/Financial and Professional Services/ Food & Drink Uses (Class A1/A2/A3) at Ground Floor and 14 Flats above Fronting Station Road; Landscaping and External Alterations to Existing Building and Car Park Layout.

DECISION: DEFERRED for a site visit.

The committee wished it to be recorded that the decision to defer the application was unanimous.

**LAND ADJACENT TO WAVERLEY INDUSTRIAL ESTATE, HAILSHAM
DRIVE HARROW, HA1 4TR (APPLICATION 1/02)**

Reference: P/2870/11 – (Eskmuir Properties Ltd). Creation of 11 Car Parking Spaces with Associated Hardsurfacing.

in response to a question, it was noted that the Landscape Architect advised on such applications, with assistance from the Biodiversity Officer if required.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

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

**LAND ADJACENT TO HARROW LEISURE CENTRE, CHRISTCHURCH
AVENUE, HARROW, HA3 5BD (APPLICATION 1/03)**

Reference: P/2588/11 – (TLC Group Limited). Erection of Part Two Part Three Storey (Plus Basement) Building for Use as a 60 Bedroom Care Home (Class C2) with Associated Parking, Landscaping and Amenity Space.

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

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

KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE, HA8 6ES (APPLICATION 2/01)

Reference: P/1929/11 – (Mr Nitesh Gor). Expansion of School from One Form to Two Form Entry, Comprising Single Storey Extension to the West of the Main Building to Create Six Additional Classrooms and Ancillary Facilities; Associated Landscaping.

In response to questions, it was reported that approximately 32% of pupils lived at a reasonable walking distance from the school. The projected figures for 2016, when the school would be fully operational, indicated an increase in traffic movement. The Section 106 Agreement included contributions for highways works and waiting restriction amendments. The officer undertook to suggest the inclusion of a school bus with the cost shared by the parents into the travel plan.

DECISION:

- (1) GRANTED permission for the development, as described on the application and submitted plans, as amended by the addendum, subject to the completion of a Section 106 Agreement with the Heads of Terms as detailed by 31 March 2011, the conditions and informatives reported, with an additional condition to replicate the previous planning permission with regard to hours and days of use;
- (2) the delegation to the Divisional Director of Planning, in consultation with the Director of Legal and Governance, for the sealing of the S106 Agreement and to agree any minor amendments to the conditions or the legal agreement be approved;
- (3) should the Section 106 Agreement not be completed by 31 March 2012, the decision to REFUSE planning permission be delegated to the Divisional Director of Planning for the reasons set out in the report

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

GARAGES REAR OF CHESTER COURT, SHEEPCOTE ROAD, HARROW, HA1 2LJ (APPLICATION 2/02)

Reference: P/2907/11 - (Haynes (Holdings) Company Ltd). Details Pursuant to Condition 10 (Bin Store) attached to Planning Permission P/1238/11 dated 19/09/2011 for Demolition of Existing Garages Proposed Three 2 Bedroom Mews Type Houses with 8 Car Park Spaces New Refuse Stores.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

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

**TALBOT HOUSE, 204-226 IMPERIAL DRIVE, HARROW, HA2 7HH
(APPLICATION 2/03)**

Reference: P/2574/11 – (Talbot House Business Centre Ltd). Extension of Time Planning Permission P/1565/08 dated 17/10/2008 for Roof Extension to Existing 3 Storey Office Building to Create 4th Storey to Provide 9 Flats, New Enclosed Rear Staircase and External Alterations (Resident Permit Restricted).

In response to a question, the Committee was informed that, although some rooms were of slightly less than the minimum space standards for flats recommended by the Interim London Housing Design Guide, the application was considered acceptable as the overall sizes complied with the London Plan and layout was acceptable.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

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

**HARROW GARDEN CENTRE, HEADSTONE LANE, HARROW, HA2 6NB
(APPLICATION 2/04)**

Reference: P/2499/11 – (Gregory Gray Associates). Installation of a New Canopy to the West of the Garden Centre.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

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

**GARAGES ADJACENT TO MAYFIELD HOUSE, MAYFIELD AVENUE,
HARROW, HA3 8EX (APPLICATION 2/05)**

Reference: P/1629/11 – (Messrs S & G, Mrs K, Ms G Randhawa). Change of Use from Lock Up Garages to Offices (Sui Generis To Class B1); Part Demolition of Existing Garages and Construction of Single Storey Extension with External Alterations

A Member of the Committee proposed refusal because of the height and closeness to the neighbouring garden which would affect the amenity of the

residents at no.1 Mayfield Avenue according to Harrow's UDP Policies D4 and D5. The motion was seconded, put to the vote and lost.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

The committee wished it to be recorded that the decision to grant the application was as follows:

Councillors Keith Ferry, Thaya Idaikkadar, Ajay Maru and Bill Phillips voted to approve the application.

Councillors Stephen Greek, Joyce Nickolay and Anthony Seymour voted against.

3 WEST DRIVE GARDENS, HARROW, HA3 6TT (APPLICATION 2/06)

Reference: P/2823/11 – (Mr Neil Gargle). Extension of Time to Planning Permission P/2316/08DFU Dated 17/10/2008 for 'Two-Storey, Three Bedroom Detached Dwelling House with New Vehicular Access'.

The Committee noted that the application was for an extension of time for a planning permission that had been granted on appeal. As the drawings and documentation were identical to the first application, the pertinent considerations were whether relevant planning policy had changed and whether the application should be viewed as 'land never developed' or 'back garden land'.

The Committee was informed that emerging policy CS1.B of the Core Strategy introduced a more explicit presumption against development of garden land. The policy carried weight as an emergent policy, following the receipt of the Inspector's report. However, on balance, taking into account the current UDP policies which were still in force, the planning history of the site, the site circumstances and the relevant appeal decisions, the officer recommendation to grant remained.

In response to questions it was noted that:

- CSI.B had not been formally adopted by the Council. Had it been adopted there would be a presumption against development on garden land;
- a restrictive covenant was not a planning consideration;
- Harrow Council had a housing strategic needs assessment in which it had identified sufficient brownfield sites for housing development.

A Member of the Committee proposed refusal on the grounds that 'the proposed redevelopment of the site to provide an additional dwelling house, by reason of its siting within a private residential garden, would represent an

inappropriate form of development, contrary to the guidance set out under PPS3: Housing (2011), saved policy EP20 of the Harrow Unitary Development Plan (2004), and Core Policy CS1 part B of the emerging Harrow Core Strategy (as approved by the Planning Inspector in December 2011).'

The Committee received representations from an objector, Marylyn Fuller, and a representative of the applicant, Stuart Rackham.

DECISION: GRANTED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

The committee wished it to be recorded that the decision to grant the application was as follows:

Councillors Keith Ferry, Thaya Idaikkadar, Ajay Maru and Bill Phillips voted to approve the application.

Councillors Stephen Greek, Joyce Nickolay and Anthony Seymour voted against.

10-16 BYRON ROAD, WEALDSTONE, HA3 7ST (APPLICATION 2/07)

Reference: P/1446/11 – (Kehoe Rail Services Ltd) Change of Use from Mixed Office and Training Centre Use (Class B1/D1) to Class D1 with Ancillary Office Accommodation.

The officer reported that the site had been marketed for a suitable period without success. The recommendation for temporary permission would enable the situation to be reassessed.

DECISION: GRANTED temporary permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported.

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

81 IMPERIAL DRIVE, NORTH HARROW, HA2 7DU (APPLICATION 3/01)

Reference: P/1923/11 – (Mr V Patel). Two Storey Side Extension and Rear Dormer.

DECISION: REFUSED permission for the development, as described on the application and submitted plans, subject to conditions and informatives reported, for the reasons set out in the report.

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

11-15 ST ANNS ROAD, HARROW, HA1 1LQ (APPLICATION 3/02)

Reference: P/2698/11 – (Mr Umar Farooq). Change of Use of Ground Floor from a Shop to a Restaurant (Class A1 to A3); Use of Front Forecourt for Siting of 8 Tables and 24 Chairs with Movable Bollards.

RESOLVED: It was noted that the application had been withdrawn.

215. INFORMATION REPORT - Consultation on Draft Local Development Order North Harrow

The Committee received a report which set out the background information and rationale for the draft Local Development Order for North Harrow District Shopping Centre.

RESOLVED: That the report be noted.

216. INFORMATION REPORT - Urgent Non-Executive Decision: Modification of the Unilateral Undertaking relating to the Former Travis Perkins Site at Harrow Town Centre.

The Committee received an information report of the Director of Legal and Governance Services advising of a non-executive urgent action. It had been agreed to modify clause 10.1 of the Unilateral Undertaking dated 15 May 2009 to allow greater flexibility for a mortgagee who had loaned money to a RSL (Registered Social Landlord) on the security of the affordable housing units to exercise its power to dispose of the units if the RSL defaulted.

RESOLVED: That the report be noted.

217. Member Site Visits

RESOLVED: That a Member site visit take place to the following site:

1/01 Tesco Supermarket, Station Road, Harrow, HA1 2TU

(Note: The meeting, having commenced at 6.30 pm, closed at 8.26 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman