

PLANNING COMMITTEE MINUTES

11 JULY 2012

Chairman: * Councillor Keith Ferry

Councillors: * Mrinal Choudhury * Joyce Nickolay
* Stephen Greek * Sachin Shah (3)
* Ajay Maru (2) * Stephen Wright

In attendance: Councillor David Perry Minute 295 (Application 1/01)
(Councillors) Councillor Bill Stephenson Minute 295 (Application 3/01)
Councillor Navin Shah Minute 295 (Application 3/01)
Councillor James Bond Minute 295 (Application 5/01)
Councillor Janet Mote Minute 295 (Application 5/01)

* Denotes Member present
(2) and (3) Denote category of Reserve Members

287. Attendance by Reserve Members

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

Ordinary Member

Councillor Bill Phillips
Councillor William Stoodley

Reserve Member

Councillor Ajay Maru
Councillor Sachin Shah

288. 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 item indicated:

Councillor	Planning Application
David Perry	1/01 (LAND REAR OF HEADSTONE DRIVE, WEALDSTONE)
Bill Stephenson Navin Shah	3/01 (16 ALLINGTON ROAD, HARROW)
James Bond Janet Mote	5/01 (LAND OUTSIDE NORTH HARROW METHODIST CHURCH, PINNER ROAD, HARROW)

289. Declarations of Interest

RESOLVED: To note that no interests were declared.

290. Minutes

RESOLVED: That the minutes of the meeting held on 13 June and special meeting held on 26 June 2012 be taken as read and signed as correct records.

291. Public Questions and Deputations

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

292. Petition

Councillor Perry, on behalf of residents, submitted a petition of 33 signatures, in addition to previous petitions submitted, objecting with regard to Application 1/01 (Land rear of Headstone Drive), citing access and poor drainage.

RESOLVED: That the petition be received and considered as part of Application 1/01 (Land rear of Headstone Drive).

293. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

RESOLVED ITEMS

294. Representations on Planning Applications

RESOLVED: To note that no representations had been received.

295. 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.

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

(APPLICATION 1/01) LAND REAR OF HEADSTONE DRIVE, WEALDSTONE

Reference: P/1265/12 (Headstone Developments Ltd). Construction of 7 X 2 Storey Buildings for Storage and office Use (Class B8 / Class B1); Photovoltaic Panels on Roof; New Vehicle Access from Walton Road; Provision of 12 Parking Spaces, landscaping, refuse and cycle storage (Revised Application)

Officers introduced the report advising that a site visit had been held and referring the Committee to additional information contained within the Addendum. It was noted that the application was in respect of a revised scheme of seven units and 12 car parking spaces.

In addition to the petition submitted and additional letter of objection Councillor David Perry (Ward Councillor) spoke on the application expressing residents concerns that the proposals would result in increased traffic flow and noise, a loss of privacy and lead to security concerns for nearby properties. He noted the location of a children's nursery and scout hut within the immediate vicinity and questioned whether the proposed office space would meet identified needs, as other similar buildings remained unoccupied. He emphasised the issues with regard to poor lighting and accessibility through the narrow alleyway and spoke of residents concerns about flooding.

Members discussed the application noting the following:

- The Grampian condition with regard to improvement of the access road, prior to construction commencing, was essential.
- Conditions 6 and 13 should also include an assurance to improve lighting levels for the access road as part of health and safety requirements.
- The highest anticipated use of the site would be 70 persons upon completion of the scheme.
- The number of vehicle movements had been assessed as acceptable by the Transport Department.
- The site would fall within the classification of Flood Zone 2 and the applicant would be required to demonstrate how they intended to deal with surface water as part of the application proposals.

- Annual monitoring of employment needs demonstrated a demand for small business and office units as proposed by the application.

A Member of the Committee moved Condition 13 be reworded to say:

- (13) No development shall take place until a construction method statement and plan for the formation and layout of the access road, ***including a low level lighting scheme***, leading from Walton Road to the application site has been submitted in writing for approval to the local planning authority. The formation and layout of the access road shall be completed in accordance with the approval details and thereafter retained in that form.

The motion for Condition 13 to be reworded was seconded, put to the vote and won.

DECISION:

- (1) **GRANTED** planning permission, ***as amended by the addendum***, subject to the conditions identified ***and the reworded Condition 13 above*** and the completion of a Section 106 Agreement by 10 October 2012. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 Agreement and to agree any minor amendments to the conditions or the legal agreement. The Section 106 agreement Heads of Terms would cover the following matters:
- i) Public realm improvements: Payment of £5,000 towards public realm improvements;
 - ii) Harrow Employment and Training Initiatives: Contribution of £10,000 towards local training and employment initiatives prior to commencement of development;
 - iii) The submission of a Recruitment Training and Management Plan;
 - iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;
 - v) Planning Administration Fee: Payment of £1,000 administration fee for the monitoring of and compliance with this agreement.
- (2) That if the Section 106 Agreement is not completed by 10 October 2012 the Divisional Director of Planning be delegated authority to **REFUSE** planning permission on the grounds that:
- "The proposed development, in absence of a legal agreement to provide appropriate provision for infrastructural facilities that directly relate to the development, would fail to adequately mitigate the impact of the development on the appearance of the wider area and provide for necessary infrastructure improvements arising directly from the

development, thereby being contrary to policy 7.4.B of The London Plan 2011 and saved policies EM22 and D4 of the Harrow Unitary Development Plan 2004”.

The Committee wished it to be recorded that the decision to grant prior approval was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Stephen Greek, Ajay Maru, Joyce Nickolay and Stephen Wright voted to approve.

Councillor Sachin Shah abstained.

(APPLICATION 1/02) ST BERNADETTES PRIMARY SCHOOL, 49 CLIFTON ROAD, HARROW

Reference: P/0817/12 (The Governing Body, St Bernadette’s Catholic Primary School). Demolition of existing School Buildings and Redevelopment to provide new single and two-storey building; associated Landscape works to include Junior Hard Play Area (enclosed), Soft Play Areas and replacement car parking and cycle storage; proposed new vehicular Access Gate from Clifton Road; new Boundary Fencing; Heat Pumps.

The Committee noted that the proposal was for a new building which would result in an overall reduction of the current footprint of the site.

DECISION: GRANTED planning permission for the development described in the submitted plans and application, 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.

(APPLICATION 2/01) LAND ADJACENT TO 47 MASONS AVENUE, WEALDSTONE

Reference: P/1021/12 (Mr Dhafer Al-Amil). Use of Vacant Land for the parking of vehicles in connection with the provision of MOT Testing Services within the Existing Vehicle Repair Garage at 14-16 Masons Avenue, Wealdstone, HA3 5AP.

Members agreed that an additional condition with regard to traffic signage be drawn up by the Divisional Director of Planning, following consultation with the Highways Authority.

DECISION: GRANTED planning permission for the development described in the submitted plans and application, 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.

(APPLICATION 2/02) 11 CRYSTAL WAY, HARROW

Reference: P/3355/11 (Medik Ostomy Ltd). Provision of new Three Storey Office Building adjacent to 11 Crystal Way to provide Ancillary Office Accommodation for 11 Crystal Way; provision of parking and landscaping fronting Elmgrove Road; provision of additional parking at rear of Unit 11.

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

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

(APPLICATION 2/03) 108 MARSH ROAD, PINNER

Reference: P/1022/12 (Mr Kobie Brown). Change of use from Shop to Beauty Parlour (Class A1 to Class SUI GENERIS) (Retrospective Application).

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

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

(APPLICATION 3/01) 16 ALLINGTON ROAD, HARROW

Reference: P/0531/12 (Mr Pradeep Shah). Rear Dormer with Juliette Balcony (Retrospective Application)

Officers introduced the report noting that a site visit had been held. In speaking to the report, officers advised that the application was seeking a retrospective permission that did not comply with the approved lawful Development Certificate, or the advice within the Supplementary Planning Document: Residential Development.

Councillors Bill Stephenson (Ward Councillor) and Navin Shah (London Assembly Member) spoke in support of the retrospective application stating that the differential in height was approximately 6 inches and this, together with the consideration that the family's unique personal circumstances should be considered as to whether this outweighed the non-compliance.

Members discussed the application noting the following:

- The variation in height was a differential from the original plans submitted and the development had not been built to agreed specification.

- Officers had been in discussion with the applicant since 2009 to try and achieve an amicable solution to the non-compliance but this had not been possible to agree.
- The Committee needed to consider whether the families' special personal circumstances outweighed the prejudice to the surrounding properties as a result of the development and this was a material consideration.
- Consideration needed to be given to whether a precedent was established for similar conversions if agreement was given.

The Committee considered a Motion to refuse on the grounds that:

- (1) The rear dormer, by reason of its siting and excessive bulk and massing, has created an unattractive, incongruous and over-dominant expanse of end gable wall which is particularly visually prominent in the street scene to the detriment of the character and appearance of the dwellinghouse and the surrounding area, contrary to policies 7.4B and 7.6B of The London Plan (2011), core policy CS1.B of the Harrow Core Strategy (2012), saved policy D4 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

The motion for refusal was seconded, put to the vote and lost.

DECISION: Minded to GRANT planning permission for the development described and in accordance with the Procedure Rules the application be re-submitted to the next Planning Committee for decision and not determined by the Divisional Director of Planning.

The Committee wished it to be recorded that the decision Minded to Grant was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Ajay Maru and Sachin Shah voted to approve.

Councillors Stephen Greek, Joyce Nickolay and Stephen Wright voted against.

(APPLICATION 3/02) WHITMORE HIGH SCHOOL, PORLOCK AVENUE, HARROW

Reference: P/0063/12 (Ms S Hammond). Installation of 8 X 10m high Lighting Columns to provide Floodlighting to Tennis Courts and 6 X 14m high Lighting Column to provide Floodlighting to Multi-Use Games Area.

The Committee noted the height of the proposed floodlighting columns indicating that it felt these were out of keeping the area.

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

- (1) The proposed floodlighting columns, by reason of their height, bulk and siting in close proximity to residential properties would be unduly obtrusive and would result in unacceptable harm to the visual amenities of the properties along Whitmore Road and Shaftesbury Avenue in close proximity to the proposed floodlighting columns and to the character of the area, contrary to National Planning Policy Framework (2012), London Plan (2011) policies 7.4B and 7.6B, Harrow Core Strategy CS1.B and the Unitary Development Plan (2004) policy D4.
- (2) The proposed flood lighting columns, when in use would result in unacceptable light overspill onto the neighbouring residential gardens to the detriment of the residential amenities of the properties along Whitmore Road and Shaftesbury Avenue in close proximity to the proposed floodlighting columns contrary to London Plan (2011) policy 7.6B and the Unitary Development Plan (2004) Policy D5.

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

(APPLICATION 5/01) LAND OUTSIDE NORTH HARROW METHODIST CHURCH, PINNER ROAD, HARROW

Reference: P/1639/12 (Vodafone (UK) Ltd). Prior approval for siting and appearance: 15m high Telecommunications Mast with Three Antennas and Associated Equipment Cabinet.

Officers introduced the report and referred the Committee to the additional information contained on the circulated Addendum. It was advised that the application required determination by the 3 August 2012 and the next meeting of the Committee would not be prior to this date. Officers outlined the changes occurring as part of the National Planning Policy Framework which removed the ability of local authorities to object to such applications on health grounds if the applicant could demonstrate compliance with International Commission on Non-Ionising Radiation Protection (ICNIRP) grounds, which had been submitted with regard to the application.

Officers stated that the proposed site before the Committee was part of a transition to a more commercial aspect of Harrow and therefore street furniture was not an uncommon aspect of such an area. Officers did not consider the proposal would result in street clutter. The complexity of identifying locations for such installations was also briefly explained.

Councillors Janet Mote and James Bond (Ward Councillors) spoke on the application seeking clarification on the positioning of the equipment cabinet and mast, particularly in view of the nearby place of worship.

Members discussed the tight search area required for such installations and the character of the surrounding area.

A Member of the Committee proposed refusal on the grounds that:

- (1) the proposed telecommunications mast, by reason of its excessive height and prominent location, would be visually intrusive in the streetscene, to the detriment of the visual amenities of the area, contrary to saved policies D4 and D24 of the Harrow Unitary Development Plan(2004).

The motion for refusal was seconded, put to the vote and lost.

In considering the application the Committee requested that arrangements be made to offer councillors the opportunity to accompany the site visit when telecommunications mast contractors were investigating potential locations for other such masts within the borough.

DECISION: Delegated Authority be given to the Divisional Director of Planning to determine prior approval following the end of the consultation period on 26 July 2012.

The Committee wished it to be recorded that the decision to grant prior approval was as follows:

Councillors Keith Ferry, Mrinal Choudhury, Ajay Maru and Sachin Shah voted to approve.

Councillors Stephen Greek, Joyce Nickolay and Stephen Wright voted against.

296. Member Site Visits

RESOLVED: To note that there were no site visits to be arranged.

(The meeting, having commenced at 6.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR KEITH FERRY
Chairman