



DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 6 SEPTEMBER 2006

SUPPLEMENTAL COMMITTEE AGENDA

5. **Minutes:** (Pages 1 - 16)
That it be agreed that, having been circulated, the Chair be given authority to sign the minutes of the meeting held on 26 July 2006 as a correct record once they have been printed in the Council Bound Minute Volume.
15. **1 Sheepcote Road:** (Pages 17 - 36)
Report of the Head of Planning.

Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda items have been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-

| <u>Agenda item</u> | <u>Special Circumstances/Grounds for Urgency</u> |
|----------------------|---|
| 5. Minutes | The minutes had not been finalised when the main agenda was printed and circulated. |
| 15. 1 Sheepcote Road | This report was not available at the time the agenda was printed and circulated. Members are requested to consider this item, as a matter of urgency. |

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REPORT OF DEVELOPMENT CONTROL COMMITTEE

MEETING HELD ON 26 JULY 2006

Chairman: * Councillor Mrs Camilla Bath

Councillors: * Robert Benson * Graham Henson (3)
* Don Billson * Thaya Idaikkadar
* Mrinal Choudhury * Manji Kara
* G Chowdhury * Narinder Singh Mudhar
* David Gawn * Joyce Nickolay

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

[Note: Councillors Brian Gate, Eileen Kinnear, Jerry Miles, Chris Noyce, Anjana Patel, Navin Shah and Bill Stephenson also attended this meeting to speak on the item indicated at Minute 48 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

47. **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> |
|------------------------|--------------------------|
| Councillor Keith Ferry | Councillor Graham Henson |

48. **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:

| | |
|--|---|
| Councillors Brian Gate, Chris Noyce and Anjana Patel | Planning Application 1/03 |
| Councillor Eileen Kinnear | Planning Applications 3/02, 3/03 and 3/05 |
| Councillor Jerry Miles | Planning Applications 2/04 and |
| Councillor Navin Shah | Planning Application 2/06 |
| Councillor Bill Stephenson | Planning Applications 1/02 and 2/21 |

49. **Declarations of Interest:**

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

- (i) Planning Application 1/05 – Sports East, Harrow School, Football Lane, Harrow
Councillor Eileen Kinnear, who was not a member of the Committee, declared a personal interest in the above item arising from the fact that she was a member of Friends of Harrow School.
- (ii) Planning Application 2/09 – Portman Hall, Old Redding, Harrow Weald
Councillor Robert Benson declared a personal interest in the above item arising from the fact that friends of his family lived in the hall. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.

- (iii) Planning Application 2/13 – Glebe First and Middle School, D'Arcy Gardens, Kenton
Councillor Narinder Mudhar declared a personal interest in the above item arising from the fact that he was a Local Education Authority appointed governor of the school. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item. Councillor Navin Shah, who was not a member of the Committee, declared the same personal interest in the above item.
- (iv) Planning Application 2/14 – 336 Eastcote Lane, South Harrow
Councillor Graham Henson declared a personal interest in the above item arising from the fact that he was a customer of the chemist shop. Accordingly, he would remain in the room and take part in the discussion and decision-making on this item.
- (v) Planning Application 2/20 – Peterborough and St Margaret's School, Tanglewood Common Road, Stanmore
Councillor Mrs Bath declared that all Conservative members of the Committee had a personal interest in the above application arising from the fact that a Conservative Councillor was deputy headteacher at the school, and two Conservative Councillors lived in a road adjacent to, but some way from, the site. Accordingly, all Conservative members of the Committee would remain in the room and take part in the discussion and decision-making on this item. Councillor Eileen Kinnear, who was not a member of the Committee, declared the same interest in the above item.

50. **Arrangement of Agenda:**

RESOLVED: (1) That, in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

| <u>Agenda item</u> | <u>Special Circumstances/Grounds for Urgency</u> |
|--|--|
| Addendum | This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision. |
| 10 (a) Planning Application Ref: P/1452/06: Telecommunications Development at Land Adjacent to Wendela Court, Sudbury Hill, Harrow: Reference from the Council Meeting held 13 July 2006 | The meeting of Council was held after the main agenda had gone to print. The petition referred related to a planning application that was to be considered at this meeting of the Development Control Committee |
| 10 (a) Planning Application Ref: P/1433/06: Telecommunications Development at Land Adjacent to 16 Harrow Fields Gardens: Reference from the Council Meeting held 13 July 2006 | The meeting of Council was held after the main agenda had gone to print. The petition referred related to a planning application that was to be considered at this meeting of the Development Control Committee |
| 17. Retrieval of Planning Support Charge for Section 106 Agreements | This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item as a matter of urgency. |

- | | |
|---|---|
| 18. Charging for Pre-Application Planning Advice | This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item as a matter of urgency. |
| 20. 102 High Street, Harrow on the Hill | This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item as a matter of urgency. |
| 23. Variation of Section 106 Agreement, Clementine Churchill Hospital, 9 Sudbury Hill, Harrow | The Deed of Variation was drafted and negotiated by the developer's solicitors and the Council's legal officer and was due to be sealed on 19 July 2006. A final matter, however, arose whereby Legal Services required evidence that a charge on the land had been discharged. As an assurance, the Council required an undertaking that the charge be removed. Only the chargee's solicitors (not a party to this matter) could give this undertaking and was received outside the extended timeframe granted by Development Control Committee (DCC) authority for completion. Accordingly, Legal Services were unable to seal the Deed of Variation and required an extension of authority to complete. The Deed was ready to be sealed but needed authority to do so. The next DCC meeting was not until September and it would hold up use of the temporary endoscopy unit, IVF clinic and enhanced pathology department at the hospital to wait until then. |

(2) to note that Item 19 – 102, 104, 106 High Street, Harrow on the Hill, had appeared on the agenda in error and that a report on this item would not be considered at this meeting;

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

51. **Minutes:**

RESOLVED: That the Chairman be given authority to sign the minutes of the meeting held on 28 June 2006, those minutes having been circulated, as a correct record, once printed in the Council Bound Minute Volume.

52. **Matters Arising from the Minutes of the Last Meeting:**

RESOLVED: To note that there were no matters arising from the minutes of the last meeting.

53. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.

54. **Petitions:**

RESOLVED: To note receipt of the following petitions which were referred to the Head of Planning for consideration:

- (i) Petition in relation to planning ref: P/2006/05/CFU - Strongbridge Close - requesting the Committee to oppose proposals being recommended for approval

Mr J Evans presented the above petition, which had been signed by 64 people.

- (ii) Petition to stop house conversions to flats within Fairview Crescent, Harrow
Councillor Joyce Nickolay presented the above petition, which had been signed by 19 residents of Fairview Crescent.

55. **Deputations:**
Having been informed that a late request had been received for a deputation, the Committee
- RESOLVED:** In accordance with Committee Procedure Rule 27.1, to suspend Committee Procedure Rule 17 (Part 4B of the Constitution) in order to receive a deputation from Gail Marshall and Linda Benham in relation to agenda item 20 – 102 High Street, Harrow on the Hill.
56. **Planning Application Ref: P/1452/06: Telecommunications Development at Land Adjacent to Wendela Court, Sudbury Hill, Harrow: Reference from the Council Meeting held 13 July 2006:**
The Committee received a reference from the meeting of Council held on 13 July 2006 in the above matter.
- RESOLVED:** That the petition be referred to the Head of Planning for consideration.
- (See also Minute 50).
57. **Planning Application Ref: P/1433/06: Telecommunications Development at Land Adjacent to 16 Harrow Fields Gardens: Reference from the Council Meeting held 13 July 2006:**
The Committee received a reference from the meeting of Council held on 13 July 2006 in the above matter.
- RESOLVED:** That the petition be referred to the Head of Planning for consideration.
- (See also Minute 50).
58. **Representations on Planning Applications:**
- RESOLVED:** That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 1/03, 2/04, 2/05, 2/06, 2/22 and 2/27 on the list of planning applications.
- [Note: Item 2/22 was subsequently deferred and representations in relation to this application were not heard by the Committee].
59. **Planning Applications Received:**
- RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the Schedule attached to these minutes.
60. **Planning Appeals Update:**
The Committee received a report of the Head of Planning which listed those appeals being dealt with and those awaiting decision.
- RESOLVED:** To note the report.
61. **Enforcement Notices Awaiting Compliance:**
The Committee received a report of the Head of Planning which listed those enforcement notices awaiting compliance.
- RESOLVED:** To note the report.
62. **Management of the Development Control Committee Agenda:**
The Committee received a report of the Head of Planning, which proposed a reorganisation of the business of the Committee and sought Members' approval of a list of additional meeting dates.
- RESOLVED:** That (1) the split between 'major' and 'minor' applications be agreed;
- (2) the following meeting dates be confirmed for 2006/07:
- [Note: * indicates meetings that are in addition to, or represent changes to, meetings already scheduled in the Council's Calendar of Meetings for 2006/07]
- Wednesday 6 September 2006
Tuesday 19 September 2006 *
Thursday 5 October 2006 *

Tuesday 17 October 2006 *
 Wednesday 8 November 2006
 Thursday 23 November 2006 *
 Wednesday 6 December 2006
 Wednesday 13 December 2006 *
 Wednesday 10 January 2007
 Thursday 25 January 2007 *
 Wednesday 7 February 2007
 Wednesday 28 February 2007 *
 Wednesday 14 March 2007
 Thursday 29 March 2007 *
 Wednesday 18 April 2007;

(4) the Committee would review the revised arrangements before the end of 2006;

(5) the Committee would endeavour to finish each meeting at 10.30pm, or at the completion of the agenda.

63. **Notification Procedures - Planning Applications on Residential Care Homes:**
 The Committee received a report of the Head of Planning in this regard.

RESOLVED: That officers be instructed to undertake the notification process indicated in paragraphs 2.2.2 and 2.2.3 of the officer report, in order to secure appropriate notification of care home residents.

64. **Retrieval of Planning Support Charge for Section 106 Agreements:**
 The Committee received a report of the Head of Planning in relation to the above.

Having been advised by the legal officer in attendance that the report had not been cleared by the Council's Legal Services Department prior to inclusion on the agenda, the Committee

RESOLVED: That (1) the report be noted;

(2) the Committee's support in principal of the officer's recommendations contained within the report be noted;

(3) legal officers be requested to investigate further the legal implications of the report and, if appropriate, submit a further report to the appropriate Council body for consideration.

65. **Charging for Pre-Application Planning Advice:**
 The Committee received a report of the Head of Planning in this regard.

Members of the Committee indicated their support of the proposed charging structure and expressed the view that income should be ring-fenced to fund the advice service.

RESOLVED: That (1) the introduction of a charging structure for pre-application advice by the Planning group be agreed;

(2) such charges to comprise two elements: (i) a charge for pre-application meetings for certain categories of development as set out in Section 2 of the officer report; and (ii) a charge for the provision of advice by the Planning Advice Team on certain categories of development as set out in Section 2 of the officer report;

(3) the scheme for such charges be advertised on the Planning pages of Harrow Council's website, notified to Harrow's regular agents and advertised in Reception, the local press and Harrow People;

(4) income from charging to be ring-fenced to resource the pre-application advice service.

(See also Minute 50).

66. **102 High Street, Harrow on the Hill:**
 The Committee received a report of the Head of Planning and heard a deputation in relation to the above.

Some members of the Committee, and the deputees, expressed the view that the Council should take enforcement action to remove the mast without delay. Officers

advised that they would be attending a meeting on 27 July 2006 to obtain further legal advice regarding the removal of the mast.

RESOLVED: That (1) officers be requested to advise Committee Members of the outcome of the meeting in relation to the above being held on 27 July 2006;

(2) if appropriate, a Special Meeting of the Committee be arranged to consider an enforcement report relating to the removal of the mast.

(See also Minute 50 and 55).

67. **Variation of Section 106 Agreement, Clementine Churchill Hospital, 9 Sudbury Hill, Harrow:**

The Committee received a report of the Director of Legal Services in this regard.

RESOLVED: That the extension of time for completion of the Deed of Variation be extended by one week from 26 July 2006 to 2 August 2006.

(See also Minute 50).

68. **Member Site Visits:**

RESOLVED: That (1) Member visits to the following sites take place on Saturday 2 September 2006 from 10.00am:

1/03 - Strongbridge Close
2/01 & 2/02 - Rosehill, 135 Wood Lane
2/05 - 40 Tregenna Avenue
2/22 - 454 Alexandra Avenue

(2) the Democratic Services Officer be requested to write to Members of the Committee to confirm the order and timing of the visits.

69. **Any Other Urgent Business:**

- (i) Cloisters Wood
Having been raised by the Chairman, it was

RESOLVED: That officer be requested to investigate progress in relation to the above and report back to the Chairman before September 2006.

- (ii) Honeypot Lane
Having been raised by the Chairman, it was

RESOLVED: That officers be requested to arrange a Member site visit to view the model of the development.

(Note: The meeting, having commenced at 7.30 pm, closed at 1.30 am).

(Signed) COUNCILLOR CAMILLA BATH
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/2416/05/CFU
LOCATION: 51 College Road, Harrow
APPLICANT: The London Planning Practice for Dandara Ltd
PROPOSAL: Redevelopment: 366 flats, 1 retail (A1) unit, 3 retail/restaurant/bar (class A1, A3, A4) units, gym, creche in buildings from 6-19 storeys, car parking, landscaping and access
DECISION: DEFERRED for further dialogue between the Council, the Greater London Authority and the applicant.

LIST NO: 1/02 **APPLICATION NO:** P/2447/04/CFU
LOCATION: 354-366 Pinner Road, Harrow
APPLICANT: Moren Greenhalgh for Genesis
PROPOSAL: Redevelopment for 3-6 storey building to provide supermarket, 112 flats, community facility; parking and access and extension of time to complete S106 agreement
DECISION: INFORM the applicant that:
(1) the application is acceptable subject to a legal agreement, as previously authorised in resolving to grant permission to application P/2447/04/CFU, being completed within three months of the Committee decision.
(2) a formal decision notice, subject to the planning conditions and informatives reported, will be issued only upon completion by the applicant of the aforementioned legal agreement.
(See also Minute 48).

LIST NO: 1/03 **APPLICATION NO:** P/2006/05/CFU
LOCATION: Strongbridge Close, Harrow
APPLICANT: PRP Architects for Metropolitan Housing Trust
PROPOSAL: Redevelopment to provide 260 units: 3x4/5 and 6 storey blocks of flats (blocks A, B and F), 1x block of 6 storey flats (block G), 1x block of 5 and 7 storey blocks of flats (block H), 2x blocks of 2 and 3 storey houses (blocks C and D) and one block of 2 storey houses (block E), roads, parking and open space (revised proposal)
DECISION: (1) DEFERRED for Member site visit;
(2) RESOLVED that the applicant be requested to provide the Committee with a model of the proposed development.
[Note: Prior to discussing the above application, the Committee received representations from two objectors, and the applicant's representative, which were noted].
(See also Minutes 48, 54, 58 and 68).

LIST NO: 1/04 **APPLICATION NO:** P/729/06/CFU
LOCATION: 5A Parr Road, Stanmore
APPLICANT: Mr J W Osbourn
PROPOSAL: Use of B1 (business) building for B8 (storage and distribution) use
DECISION: GRANTED permission for the development described in the application and

submitted plans, as amended on the Addendum, subject to the conditions and informative reported.

LIST NO: 1/05 **APPLICATION NO:** P/123/06/CFU
LOCATION: Sports East. Harrow School, Football Lane, Harrow
APPLICANT: Harrow School General Fund for Harrow School
PROPOSAL: 12 x 15M masts and 24 x 10M columns to provide floodlighting to artificial turf pitches & tennis courts
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.
(See also Minute 49).

LIST NO: 1/06 **APPLICATION NO:** P/1330/06/CFU
LOCATION: 62/64 Station Road, Harrow
APPLICANT: Michael Seston for Balbir Deol
PROPOSAL: Conversion from 4 to 11 flats, alterations to roof and part single, part two storey rear extension
DECISION: WITHDRAWN by the applicant.

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/2512/05/CFU
LOCATION: Rosehill, 135 Wood Lane, Stanmore
APPLICANT: Geoff Beardsley & Partners Ltd for A Townswadey & M Chapell
PROPOSAL: Redevelopment: Detached two storey house and double garage
DECISION: DEFERRED for Member site visit.
(See also Minute 68).

LIST NO: 2/02 **APPLICATION NO:** P/251305/CCA
LOCATION: Rosehill, 135 Wood Lane, Stanmore
APPLICANT: Geoff Beardsley & Partners Ltd for A Townswadey & M Chapell
PROPOSAL: Conservation Area Consent: Demolition of existing house and outbuildings
DECISION: DEFERRED for Member site visit.
(See also Minute 68).

LIST NO: 2/03 **APPLICATION NO:** P/1104/06/CFU
LOCATION: Whitmore High School, Porlock Avenue
APPLICANT: Tony Welch Associates for Whitmore High School
PROPOSAL: Retention of temporary single storey building to provide 2 additional classrooms
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported, and the following additional condition:

“The council would require good reason to permit the retention of the building beyond that permitted”.

LIST NO: 2/04 **APPLICATION NO:** P/417/06/DFU

LOCATION: 26 Kenilworth Avenue, Harrow

APPLICANT: Saxton Design for Mr S Daheley

PROPOSAL: Single and two storey side and rear extensions; front porch; conversion to two self-contained flats (revised)

DECISION: DEFERRED to enable files to be made available to objectors wishing to view the plans.

[Note: (1) Prior to discussing the above application, the Committee received representations from an objector, which were noted;

(2 there was no indication that a representative of the applicant was present and wished to respond].

(See also Minutes 48 and 58).

LIST NO: 2/05 **APPLICATION NO:** P/262/06/DFU

LOCATION: 40 Tregenna Avenue, Harrow

APPLICANT: Mr J I Kim for Mr S Dule

PROPOSAL: Single storey rear extension; conversion to two houses (revised)

DECISION: DEFERRED for Member site visit.

[Note: (1) Prior to discussing the above application, the Committee received representations from an objector, which were noted;

(2 there was no indication that a representative of the applicant was present and wished to respond].

(See also Minute 58 and 68).

LIST NO: 2/06 **APPLICATION NO:** P/1080/06/DFU

LOCATION: 33 Lulworth Gardens, Harrow

APPLICANT: J I Kim for Ms J Pulpanova

PROPOSAL: Two storey side & rear, single storey front and rear extension; conversion to two self-contained flats

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following additional condition:

“The development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments to gain access to, and egress from, the building(s) (without the need to negotiate steps) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and thereafter retained”.

[Note: (1) Prior to discussing the above application, the Committee received representations from an objector and the applicant’s representative, which were noted;

(2) during the discussion on the above item, it was moved and seconded that the application be refused for the following reasons:

- (i) There was insufficient and inappropriate car parking provision.
- (ii) There were unsatisfactory arrangements for the bins.
- (iii) The accommodation was sub-standard.
- (iv) The development would result in increased activity in the area;

Upon being put to a vote, this was not carried;

(3) the substantive motion to grant the above application was carried;

(4) Councillors Choudhury, Gawn, Henson and Idaikkadar wished to be recorded as having voted against the decision to grant the application].

(See also Minutes 48 and 58).

LIST NO: 2/07 **APPLICATION NO:** P/1003/06/DFU
LOCATION: Nower Hill High School, George V Avenue, Pinner
APPLICANT: Tony Welch Associates for The School Governors
PROPOSAL: Two temporary classrooms for 2 years to northern side of existing school
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/08 **APPLICATION NO:** P/1004/06/DFU
LOCATION: Hatch End High School, Harrow
APPLICANT: Tony Welch Associates for The School Governors
PROPOSAL: Two temporary classrooms for 2 years
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/09 **APPLICATION NO:** P/1149/06/CFU
LOCATION: Portman Hall, Old Redding, Harrow Weald
APPLICANT: P J McCann c/o Banner Homes Ltd for Banner Homes Ltd
PROPOSAL: Alteration of fencing to roof terraces and installation of railing to roof edging
DECISION: REFUSED permission for the development described in the application and submitted plans, for the following reason:

- (i) The proposed development would appear as an inelegant and cluttered feature to the detriment of the openness of the Green Belt and the appearance of the Area of Special Character.

[Note: The Head of Planning had recommended that the above application be granted].

(See also Minute 49).

LIST NO: 2/10 **APPLICATION NO:** P/114/06/CCO
LOCATION: Faircot, 11 Little Common, Stanmore
APPLICANT: A J Ferryman & Associates for Mr G Fitzgerald
PROPOSAL: Retention of loft conversion including 4 rooflights
DECISION: GRANTED permission for the development described in the application and

submitted plans, subject to the informatives reported.

LIST NO: 2/11 **APPLICATION NO:** P/817/06/DFU
LOCATION: 50 Eastcote Lane, South Harrow
APPLICANT: Canopy Planning Services for Mr Aniya
PROPOSAL: Alterations, single storey rear extension and conversion to two self-contained flats
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/12 **APPLICATION NO:** P/430/06/CCO
LOCATION: 10 Oxford Road, Wealdstone
APPLICANT: Western Governors Graduate School
PROPOSAL: Continued use of B1 (office) premises for educational purposes (D1 use)
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

LIST NO: 2/13 **APPLICATION NO:** P/951/06/CLA
LOCATION: Glebe First & Middle School, D'Arcy Gardens, Kenton
APPLICANT: Wintersgill (David McDermott) for Glebe First & Middle School
PROPOSAL: 2 storey detached building to provide replacement Kenton Learning Centre
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

(See also Minute 49).

LIST NO: 2/14 **APPLICATION NO:** P/3184/05/DFU
LOCATION: 336 Eastcote Lane, South Harrow
APPLICANT: Mr Dilip Gudka
PROPOSAL: Single and two storey/first floor rear extension incorporating new external access to flat; front and rear dormers (revised)
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

(See also Minute 49).

LIST NO: 2/15 **APPLICATION NO:** P/3134/05/CVA
LOCATION: Three Wishes PH, 20 Broadwalk, Pinner Road, Harrow
APPLICANT: Jeremy Peter Associates for Unitscore Ltd
PROPOSAL: Variation of Condition 5 of Permission LBH/42873 to allow opening hours between 10.00 to 23.30 Mon to Thurs & Sun, and 10.00 to 12.30 hrs Fri & Sat
DECISION: GRANTED permission for the variation described in the application and submitted plans, subject to the condition and informative reported.

LIST NO: 2/16 **APPLICATION NO:** P/735/06/CAD

LOCATION: The Case Is Altered PH, 28 Old Redding, Harrow Weald

APPLICANT: John Rogers Design for Innventure Ltd

PROPOSAL: Externally illuminated sign writing on building

DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reasons:

(i) The proposed illuminated advertisement, by reason of its size and lighting, would be unduly obtrusive in this sensitive location, would detract from the character and appearance of this part of the Conservation Area and the Area of Special Character and be detrimental to visual amenity.

[Notes: (1) The decision to refuse the application was unanimous;
(2) the Head of Planning had recommended that the above application be granted].

LIST NO: 2/17 **APPLICATION NO:** P/3187/05/DFU

LOCATION: 43 Orchard Grove, Kenton

APPLICANT: Canopy Planning Services for Mr Lodhia

PROPOSAL: Conversion of house to provide 2 self-contained flats with single storey rear extension

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and the following additional condition:

“The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.”

LIST NO: 2/18 **APPLICATION NO:** P/7/06/DFU

LOCATION: 149-151 Burnt Oak Broadway, Edgware

APPLICANT: Mr H Patel for Mr M Bhudia

PROPOSAL: Change of use: Retail to restaurant (class A1 to A3), single storey rear extension, shopfront, extract duct

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

LIST NO: 2/19 **APPLICATION NO:** P/1332/06/CFU

LOCATION: 16 Fauna Close, Stanmore

APPLICANT: Mr & Mrs Remo

PROPOSAL: Single storey rear extension with raised patio and handrail

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

LIST NO: 2/20 **APPLICATION NO:** P/1049/06/CFU

LOCATION: Peterborough & St Margaret's School, Tanglewood Common Road, Stanmore

APPLICANT: Mr A Gorslar
PROPOSAL: Conservatory at rear
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following additional informative:
 "The applicant is advised that any further extensions to this property are unlikely to be favourably considered".

LIST NO: 2/24 **APPLICATION NO:** P/771/06/CFU
LOCATION: Land at Fentiman Way, South Harrow
APPLICANT: W J Macleod Architect for M D Properties
PROPOSAL: Three storey block of six flats; bin store and parking
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/25 **APPLICATION NO:** P/378/06/CFU
LOCATION: 1&2 Grove Cottages, Warren Lane, Stanmore
APPLICANT: Treatment Architecture for Mr Hani Hasna
PROPOSAL: Redevelopment to provide replacement detached two storey dwelling with detached garage (revised)
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.

LIST NO: 2/26 **APPLICATION NO:** P/794/06/DFU
LOCATION: 22 Ferring Close, Harrow
APPLICANT: Mr H Kelly for Mr & Mrs A Connellan
PROPOSAL: Single storey rear extension; rear & side dormers
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, and the following additional condition:
 "Building works shall only take place between the hours of 8am to 6pm Monday to Friday".

LIST NO: 2/27 **APPLICATION NO:** P/74/06/DFU
LOCATION: Ebberston, 39 South Hill Avenue, Harrow
APPLICANT: Kenneth W Reed & Associates for Mr & Mrs J Snowdon
PROPOSAL: First floor rear extension
DECISION: DEFERRED at Members' request for officers to investigate and establish the extent of any breach of the 45 degree code as set out in Supplementary Planning Guidance.
 [Note: Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted].
 (See also Minute 58).

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/1081/06/CVA
LOCATION: 54 Church Road, Stanmore
APPLICANT: K Parasiraman
PROPOSAL: Variation of Condition 3 of EAST/151/97/FUL to allow opening between 11.00 to midnight on Sun-Thu and Bank Holidays & from 11.00 to 02.00 the following day on Friday and Saturday
DECISION: REFUSED permission for the variation described in the application and submitted plans, for the reason and informative reported.

LIST NO: 3/02 **APPLICATION NO:** P/1433/06/CFU
LOCATION: Land adjacent to 16 Harrow Field Gardens, Harrow
APPLICANT: PHA Comms Ltd for Orange PCS Ltd
PROPOSAL: Telecommunications development: 10 metre high mast with 3 antenna and equipment cabinet
DECISION: REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for Reasons 2 and 3 and the informative reported, and Reason 1 amended to read:

“The proposal by reason of its siting and proximity to existing street furniture, would give rise to a proliferation of street furniture to the detriment of visual amenity and appearance of the streetscene and the area in general; it would fail to preserve or enhance the Sudbury Hill Conservation Area, the South Hill Conservation Area and the Harrow on the Hill Area of Special Character”.

[Note: The decision to refuse the application was unanimous].

(See also Minute 48).

LIST NO: 3/03 **APPLICATION NO:** P/1031/06/DFU
LOCATION: West Hill Motors, West Hill
APPLICANT: S Gunaratnam
PROPOSAL: Use of part of existing vehicle repair garage (class B2) as M.O.T. testing station (sui generis)
DECISION: (1) REFUSED permission for the development described in the application and submitted plans, for the reasons and informative reported.

(2) RESOLVED that officers be requested to inform the Highways Department of issues relating to parking in the area.

[Note: The decision to refuse the application was unanimous].

(See also Minute 48).

LIST NO: 3/04 **APPLICATION NO:** P/2921/05/CFU
LOCATION: Land at Chantry Place, Headstone Lane, Harrow
APPLICANT: Peter Holmes for Porchfern Ltd
PROPOSAL: Construction of one 2 storey building to provide 2 units for light industry/office (B1 use)
DECISION: REFUSED permission for the variation described in the application and

submitted plans, for the reason and informative reported.

| | | | |
|-------------------|--|------------------------|---------------|
| LIST NO: | 3/05 | APPLICATION NO: | P/1452/06/CFU |
| LOCATION: | Land adjacent to Wendela Court, Sudbury Hill, Harrow | | |
| APPLICANT: | PHA Communications Ltd for Orange PCS Ltd | | |
| PROPOSAL: | Telecommunications development: 8 metre high mast (telegraph pole desing) with 1 antenna and equipment cabin | | |
| DECISION: | REFUSED permission for the variation described in the application and submitted plans, as amended on the Addendum, for the informative reported and the following reasons: (i) The proposal by reason of its size, appearance, prominent siting and proximity to existing street furniture, would be unduly obtrusive and would give rise to a proliferation of street furniture to the detriment of visual amenity and appearance of the streetscene and of the area in general. (ii) The proposal would fail to preserve or enhance the character and appearance of the Sudbury Hill Conservation Area and the Harrow on the Hill Area of Special Character. [Note: The decision to refuse the application was unanimous]. (See also Minute 48). | | |



| | |
|----------------------|--|
| Meeting: | Development Control Committee |
| Date: | Wednesday 6 th September 2006 |
| Subject: | 1 Shepcote Road |
| Responsible Officer: | Group Manager Planning and Development |
| Contact Officer: | Adam Beamish |
| Portfolio Holder: | Planning, Development and Housing |
| Enclosures: | Site Plan |
| Key Decision: | No |
| Status | Part 1 |

Section 1: Summary

This report relates to the unauthorised installation of large commercial plant and ducting units on the east and south elevations of Golds Gym, a Grade II Listed Building (designated in 1998).

Built on a prominent site on the corner of Shepcote Road and Bonnersfield Lane, the building was formally the Granda Cinema built in 1937 in a predominately Art Deco style with classical influences. The plant and ducting, installed over 4 years ago, by reason of its prominent siting, metallic/silver finish, size and appearance, is dominant and unsympathetic and adversely affects the character, appearance and setting of this Grade II Listed Building, contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004.

Decision Required

Recommended (for decision by the Development Control Committee)

Subject to the decision of Development Control Committee in respect of Listed Building Application ref: P/38/03/CLB.

The Director of Legal Services be authorised to:

- (a) Issue a Listed Building Enforcement Notice pursuant to Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990, no sooner than 42 days after 6th September 2006, requiring:
 - (b) (i) Permanently remove all plant, ducting, air-conditioning units, associated frames, supports and bolts on the east elevation wall.
 - (ii) Paint in a black-mat finish all plant, ducting, air-conditioning units, associated frames, supports and bolts on the south elevation wall.
 - (iii) Permanently remove the constituent elements of the plant, ducting, air-conditioning units, associated frames, supports and bolts outlined in section ((b))(i) from the land.
- (c) The requirements set within ((b)) (i), (ii) and (iii) should be complied with within a period of three (3) months from the date on which the Notice takes effect.
- (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
- (e) Institute legal proceedings in event of failure to:
 - a. supply the information required by the Borough through the issue of

Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

b. comply with the Listed Building Enforcement Notice

Reason for report

To ensure that the alleged breach of planning control is ceased in the interests of the Grade II Listed Building.

Benefits

To enhance the environment of the Borough.

Cost of Proposals

None at this stage.

Risks

Any enforcement notice may be appealed to the Planning Inspectorate.

Implications if recommendations rejected

Failure to take action would mean that the character and setting of the Grade II Listed Building would continue to be harmed.

Section 2: Report

Brief History, Policy Context (Including Previous Decisions)

- 2.1 Planning permission P/7/03/CCO for retention of plant and ducting on side and rear elevations, presented to 6th September 2006 Development Control Committee for consideration.
- 2.2 Listed building consent P/38/03/CLB for retention of plant and ducting to rear and side elevations, presented to 6th September 2006 Development Control Committee for consideration.

Background Information and Options Considered

- 2.30 Golds Gym (formerly known as the Granada Cinema) was listed Grade II in 1988. It was opened in 1937 and built to the design of J. Owen Bond. The building is a striking example of 1930s architecture, occupying a prominent corner site between Sheepcote Road and Bonnersfield Lane. Externally, it has a predominantly Art Deco appearance, with Classical influences in the use of columns, pure lines and an angular, symmetrical design. The facades are bold and uncluttered, which makes the building stand out within the street scene. The west (front), north (facing Bonnersfield Lane) and east (rear) elevations make use of an attractive brown brick finish, laid in an English bond, with every seventh course recessed to provide definition and visual interest. The southern elevation fronting onto the rear yards of Manor Parade uses a simpler engineering style brick, which demonstrates how the other three elevations were supposed to be seen and admired from public viewpoints. However, even on the southern elevation, the use of columns and sharp line design continues, and it should not be considered as having no architectural or historic interest to the overall listed building.

2.31 The unauthorised development on the east (rear) elevation comprises of plant and ducting the subject of listed building consent ref: P/38/03/CLB and planning application ref: P/7/03/CCO. The unauthorised plant and ducting is located approximately 9.4 metres from Bonniefield Lane footpath and is 8 metres from the south corner of the building. The unauthorised plant and ducting is approximately 2 metres from ground level to a maximum height of 5.7 metres protruding 1.8 metres from an original 7-metre high rear projection and 2.6 metres from the main rear wall.

2.32 The unauthorised development on the south (side) elevation comprises of four separate elements of plant and ducting (i-iii the subject of planning and listed building applications).

- i. Three air-conditioning units and associated brackets are located approximately 8.7 metres from the rear corner of the building. They measure 4.4 metres in width, 1.6 metres high and are positioned 3.6 metres from ground level protruding 1.0 metre from the flank wall.
- ii. Three ducts and associated brackets are located approximately between 15.8 metres and 17 metres from the rear corner. They measure 0.4 metres in width, run 11 metres up the flank wall, start 1.4 metres from ground level and protrude 0.4 from the flank wall.
- iii. Plant, ducting and associated support is located between 18.4 metres and 24.8 metres from the rear corner. The plant and ducting is installed between 2.7 metres and 7.3 metres from ground level. It measures 6.4 metres in width and protrudes a maximum of 1.8 metres from the flank wall.
- iv. A single flue not included in the refused applications is located approximately 13 metres from Sheepcote Road. It measures 0.4 metres in width and protrudes 0.4 metres from the flank wall. The flue is positioned 1.4 metres from ground level and runs up the wall to a height of 4.6 metres from ground level.

- 2.33 The unauthorised plant and ducting on both the east (rear) and south (side) elevations are in close proximity to residential properties particularly at Manor Court which is less than 10m away from the unauthorised development. All unauthorised plant and ducting units that are the subject of this report are of metallic/silver finish with a bulky, cumbersome, overbearing, dominant design.
- 2.34 The development is contrary to the following Policies of the Harrow Council Unitary Development Plan 2004.
- Policy D11, *Statutorily Listed Buildings*
 - SD2 *Conservation Areas, Listed Buildings, Site of Archaeological Importance, and Historic Parks and Gardens* in particular section 2.60
- 2.35 The plant and ducting on the east (rear) elevation is large, bulky, unsightly and uncompromising in appearance and in no way blends in with the building. The installed plant and ducting relate poorly to the Grade II Listed Building and the surrounding street scene. The plant, ducting, air-conditioning unit and associated mounting is considerably large and overly dominant on the rear elevation of the Gold's Gym building. From the Bonnersfield Lane the view is one of a pleasant green space area ahead of the Grade II Listed Building with the east elevation prominent and clearly visible from the street. The large silver/metallic unauthorised plant and ducting is particularly detrimental on the publicly visible east elevation, where they clutter and blight the clean simplicity of the façade, cutting across the columns of the building, with no attempt having been made to sensitively site or conceal the units.
- 2.36 The Council consider that any proposal to mitigate the impact of the unit on the east elevation by way of screening, due to the sheer size of the screening required to enclose the unauthorised unit, would have the equivalent, bulky overbearing and detrimental impact on the clean

simplicity of the façade, cutting across the columns of the building as what is present.

- 2.37 The plant and ducting on the eastern elevation due to its size, design, bulky, dominant and overbearing impact to the appearance and setting of the Grade II Listed Building is contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004. Consequently, the Council is requesting all plant and ducting that was the subject of listed building consent ref: P/38/03/CLB and planning application ref: P/7/03/CCO be removed from the east elevation and a Listed Building Enforcement Notice be served no sooner than 42 days from 6th September 2006.
- 2.38 The southern (side) elevation fronting onto the rear yards of Manor Parade uses a simpler engineering style brick, which demonstrates how the other three elevations were supposed to be seen and admired from public viewpoints. However, the use of columns and sharp line design continues, and the south elevation should not be considered as having no architectural or historic interest to the overall listed building. The amount of plant and ducting on the southern elevation is numerous, substantial and of the same bulky, overbearing design as the east elevation. Due to the less prominent outlook of the south elevation, the siting of the plant and ducting is considered acceptable but its bulky, overbearing design and incongruous metallic finishing has a detrimental impact to the appearance and setting of the Grade II Listed Building, contrary to policy D11 and the more general policy SD2 of the Harrow Council Unitary Development Plan 2004.
- 2.39 The council is therefore requesting all plant and ducting located on the south elevation be painted black in order to alleviate the effect of the unauthorised works to the Grade II Listed Building.

The alleged breach of planning control

- 2.4 Without listed building consent, the unauthorised installation of plant and ducting to the east and south elevations.

Reasons for issuing the notice

- 2.5 It appears to the Council that the above breach of planning control occurred to a Grade II Listed Building.
- 2.6 The Installed plant and ducting on the east and south elevations is detrimental to the setting and character of the Grade II Listed Building, contrary to policies D11 and SD2 of the Harrow Council Unitary Development Plan 2004.
- 2.7 The Council do not consider that listed building consent should be granted because planning conditions cannot overcome these problems.

3.0 Consultation

- Ward Councillors copied for information
- Harrow Council Legal Services
- Harrow Council Financial Services

3.1 Financial Implications

None

3.2 Legal Implications

Before issuing a listed building enforcement notice, the Committee must (relevantly) be satisfied that: (a) works have been executed to a listed building in Harrow; (b) the works involved alteration or extension of the building which would affect its character as a building of special

architectural or historical interest; and (c) the works were unauthorised in the sense of being without consent or in breach of the conditions of consent. In those circumstances, the Committee may issue a notice if they consider it expedient to do so having regard to the effect of the works on the character of the building as one of special architectural or historical interest.

3.3 Equalities Impact

None.

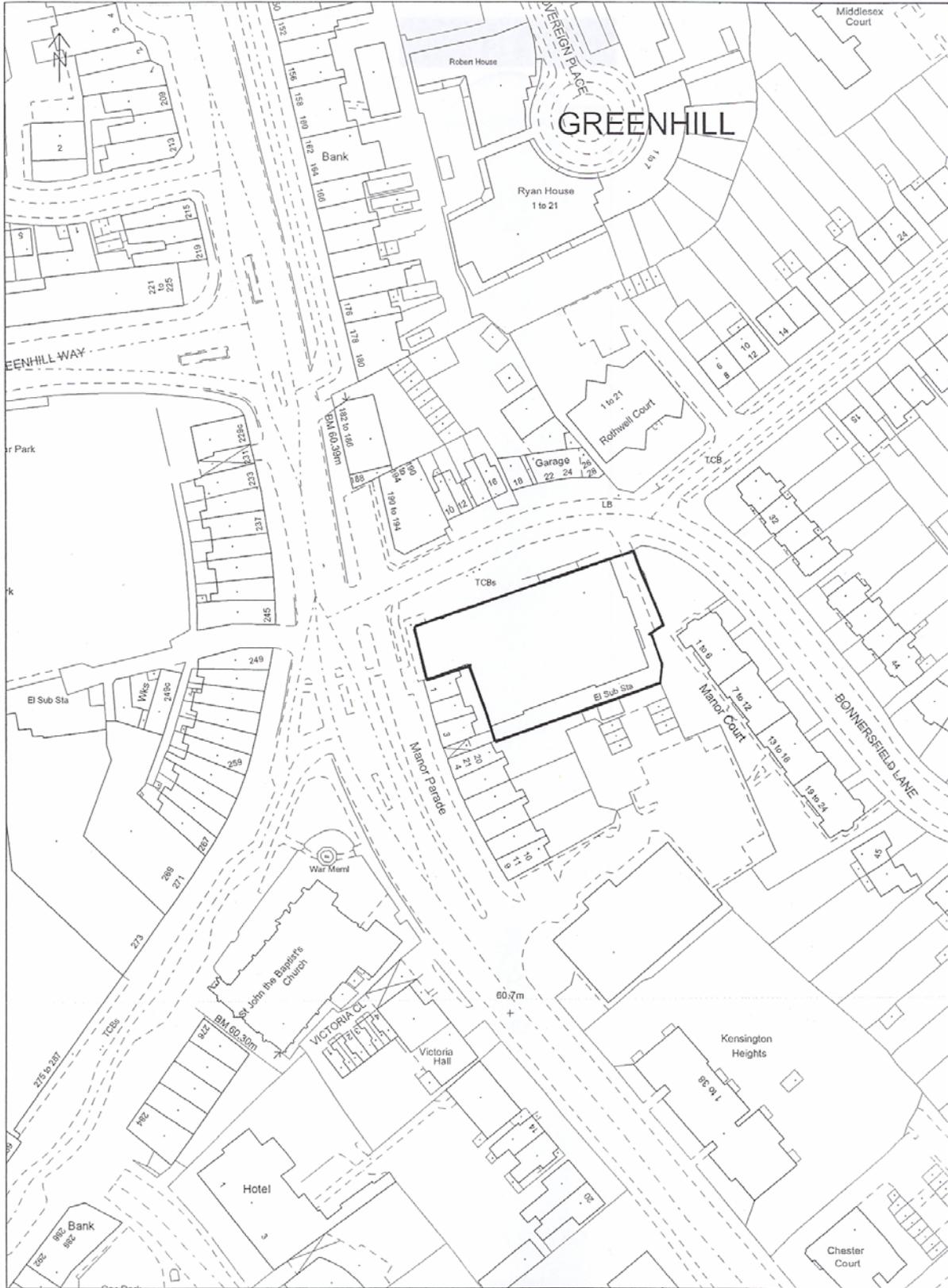
3.4 Section 17 Crime and Disorder Act 1998 Considerations

None.

Section 3: Supporting Information/ Background Documents

- Planning permission P/7/03/CCO for retention of plant and ducting on side and rear elevations, presented to 6th September 2006 Development Control Committee for consideration.
- Listed building consent P/38/03/CLB for retention of plant and ducting to rear and side elevations, presented to 6th September 2006 Development Control Committee for consideration.

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