

# **Planning Committee**

## **ADDENDUM**

**DATE:                      Wednesday 2 September 2020**

**HARROW COUNCIL**

**ADDENDUM**

**PLANNING COMMITTEE**

**DATE: 2 September 2020**

<p><b>2/01</b></p>	<p><b><u>Addendum Item 1:</u></b></p> <p><i>Amend the Principle of Development subsection (Para 6.2, page 29) to include the following:</i></p> <p>The laying of the hardstanding to formalise the enlargement of the vehicular access constitutes engineering operations, preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. There proposal therefore falls within the exceptions set out in Paragraph 146(b) of the National Planning Policy Framework (2019) and does not therefore constitute inappropriate development within the Green Belt.</p>		
<p><b>2/02</b></p>	<p><b><u>Addendum Item 1:</u></b></p> <p>The name of the applicant changed to Harrow Council under Regulation 3.</p>		
<p><b>2/03</b></p>	<p><b><u>Addendum Item 1:</u></b></p> <p><i>Amend the Consultation section (Para 4.1, page 5) to state the following:</i></p> <p>The statutory public consultation period expires on 2nd September 2020 and <b>6 objections</b> were received and are summarised below. Any additional comments submitted after the agenda of the Planning Committee is published will be reported to the Planning Committee in the addendum.</p> <p><b><u>Addendum Item 2:</u></b></p> <p><i>Amend the Summary of Comments subsection (Para 4.3, pages 5-6) to state the following:</i></p> <table border="1" data-bbox="236 1653 1445 2056"> <tr> <th data-bbox="236 1653 1445 1720"> <p><b>Summary of Comments</b></p> </th> </tr> <tr> <td data-bbox="236 1720 1445 2056"> <p><u>Character and appearance / Residential Amenities</u></p> <p>Proximity to local residences, school and nursing home; Alternative site should be sought; Impact of siting behind trees and within the grass verge would eclipse the tree line and damage to the detriment of the area; Existing telecommunications equipment in the locality is already a detriment to the area erection of further equipment will change character of the street; Excessive height of the proposal; Proposal would block light and outlook; Other LPAs are refusing planning permission.</p> </td> </tr> </table>	<p><b>Summary of Comments</b></p>	<p><u>Character and appearance / Residential Amenities</u></p> <p>Proximity to local residences, school and nursing home; Alternative site should be sought; Impact of siting behind trees and within the grass verge would eclipse the tree line and damage to the detriment of the area; Existing telecommunications equipment in the locality is already a detriment to the area erection of further equipment will change character of the street; Excessive height of the proposal; Proposal would block light and outlook; Other LPAs are refusing planning permission.</p>
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*Officer response: The proposal has provided documentation which detail the inappropriate nature of other sites in the locality. It is considered the proposed siting of the telecommunications mast would be the most appropriate of the all potential locations due to the screening offered by surrounding trees and the established presence of the existing telecommunications equipment in close proximity. Although the height of the telecommunications would eclipse the tree line, the 20m height of the proposal is the minimum height required to facilitate the required 5G services. It is considered the limited visual intrusion this causes would be significantly outweighed by the public benefit of 5G provision in the area and its siting is in an area considered to cause the least amount of harm to the character and appearance of the locality. The proximity to residential areas and schools and nursing homes would not be a reason for refusal in its own right and should only be refused on the impact of the development which has been deemed to be acceptable.*

*The impacts to the residential amenities of the adjacent block of flats is considered to not be of significant detriment which would warrant a reason for refusal due to the siting of the mast itself and the relatively narrow nature of the development.*

*Although it is appreciated other Local Planning Authorities may take a different view to the acceptability of 20m high monopole structures. The current proposal has been assessed on its own merits against Harrow Council's own Development Plan Policies and relevant allowed appeal decisions for previously refused applications within the borough. It is considered on planning balance, the impact of the proposal would be acceptable.*

Other issues:

Health Impacts of 5G; Total Health Impacts are still to be ascertained

*Officer response: The National Planning Policy Framework (2019) states that Local Planning Authorities should limit their assessment of communication infrastructure to planning grounds only, explicitly they should not set health safeguards different from the International Commission guidelines for public exposure. The NPPF further states that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported when a statement is provided that self-certified that, when operational International Commission guidelines will be met. The application has submitted a statement declaring conformity with the International Commission On Non-ionising Radiation Protection (ICNIRP) guidelines once operational. It is therefore considered within the scope of the planning process the proposal has provided the relevant declaration to not be considered to have an adverse effect on health.*

**Addendum Item 3:**

*Amend the Telecommunications Development subsection (Para 6.2.1, page 7) to state the following:*

*“The public benefit of the proposal would be enabling 5G coverage to an area identified as a ‘coverage hole’ by the operator. This accords with policy guidance in the NPPF which highlights the importance of high quality communications infrastructure, both for sustainable economic growth and to enhance local community facilities and services. In justifying a location for a new mast or base station, the NPPF states that applicants should provide evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure. The subject application has provided and complied with all the necessary prerequisites pertaining to the prior approval process **as per Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).** This includes serving notice to Home Group Developments Ltd, who own the*

application site land and as such, subject to prior approval, in regards to its siting and appearance the subject application would be considered Permitted Development.”

**Addendum Item 4:**

*Remove paragraph 6.2.5 found within the Telecommunications Development subsection (Para 6.2.5, page 8) which states the following:*

“The subject application has provided and complied with all the necessary prerequisites pertaining to the prior approval process as per Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This includes serving notice to the Highway Authority, who own the application site land and as such, subject to prior approval, in regards to its siting and appearance the subject application would be considered Permitted Development.”

Reason for removal: contents is already explained and in paragraph 6.2.1 and is incorrect.

**Addendum Item 5:**

*Amend the Highway Safety subsection (Para 6.5.2, page 10) to state the following:*

The councils Highway Authority were consulted during the course of the application and asked to verify ownership of the application site. The Highway Authority confirmed the application site falls within the Adopted Highway. The application has provided a copy of developers notice served to the Highway Authority prior to the submission of the application. **However, a Land Registry search has confirmed the land is owned by Home Group Developments Ltd. A developers notice was served to Home Group Developments Ltd, and therefore irrespective of a notice being served to the Highway Authority, the proposal complies with paragraph A.3(2)(a) of the GPDO**

2/04	<p><b><u>Addendum Item 1:</u></b> The name of the applicant changed to Harrow Council under Regulation 3.</p>														
2/07	<p><b><u>Addendum Item 1:</u></b> Members are minded to approve this application, rather than resolve to grant.</p>														
2/08	<p><b><u>Addendum Item 1:</u></b> The following table has been submitted to clarify the differences between the previously refused applications:</p> <table border="1" data-bbox="223 1713 1404 2060"> <thead> <tr> <th data-bbox="223 1713 406 1803">Application</th> <th data-bbox="406 1713 813 1803">Refusal reason</th> <th data-bbox="813 1713 981 1803">Date of decision</th> <th data-bbox="981 1713 1204 1803">Measurements</th> <th data-bbox="1204 1713 1404 1803">Amendment since previous</th> </tr> </thead> <tbody> <tr> <td data-bbox="223 1803 406 2060">N/A – Existing Conservatory</td> <td data-bbox="406 1803 813 2060">N/A</td> <td data-bbox="813 1803 981 2060">N/A</td> <td data-bbox="981 1803 1204 2060">Depth: 2.5m Width: 4.9m Height (eaves): 2.9m Height (ridge): 3.1m  1.4m deep</td> <td data-bbox="1204 1803 1404 2060">N/A</td> </tr> </tbody> </table>					Application	Refusal reason	Date of decision	Measurements	Amendment since previous	N/A – Existing Conservatory	N/A	N/A	Depth: 2.5m Width: 4.9m Height (eaves): 2.9m Height (ridge): 3.1m  1.4m deep	N/A
Application	Refusal reason	Date of decision	Measurements	Amendment since previous											
N/A – Existing Conservatory	N/A	N/A	Depth: 2.5m Width: 4.9m Height (eaves): 2.9m Height (ridge): 3.1m  1.4m deep	N/A											

				patio stairs  0.25m gap between site and No. 44  0.9m gap between site and No. 40	
Refused Application: P/3489/19	<p>1. The proposed extension by reason of its excessive height, depth and minimal setback would result in a disproportionate development which would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No. 40 and No.44 Roxeth Hill which would be harmful to the residential amenities of the occupiers of this neighbouring property. The proposal is therefore contrary to policies 7.4B and 7.6.B of The London Plan (2016), policy CS1. B of the Harrow Core Strategy (2012), policy DM1 of the Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p> <p>2. The proposed extension by reason of its scale and unsympathetic roof design would appear as an unduly bulky addition and contrived form of development which would be harmful to the character and appearance of the host dwelling and the area, contrary to the high quality design aspirations of the National Planning Policy Framework (2018), Policies 7.4 B and 7.6 B of The London Plan (2016), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the Council's Supplementary</p>	25/10/2020	<p>Depth: 4m Width: 4.9m Height: Between 3.3m – 3.7m</p> <p>1.2m deep patio stairs</p> <p>0.25m gap between site and No. 44</p> <p>0.9m gap between site and No. 40</p>	N/A	
Refused Application P/4822/20	The proposed extension by reason of its excessive height and depth would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No.44 Roxeth	13/01/2020	<p>Depth: 3.5m Width: 4.9m Height: Between 3m – 3.3m</p> <p>1.2m deep patio stairs</p>	Reduction in depth and height	

	Hill which would be harmful to the residential amenities of the occupiers of this neighbouring property. The proposal is therefore contrary to policies 7.4B and 7.6.B of The London Plan (2016), policy CS1. B of the Harrow Core Strategy (2012), policy DM1 of the Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).		0.25m gap between site and No. 44  0.9m gap between site and No. 40	
Current Application	Under consideration	N/A	Depth: 3m Width: 4.9m Height: Between 3m – 3.4m  1.2m deep patio stairs 0.25m gap between site and No. 44  0.9m gap between site and No. 40	Reduction in depth  0.1m increase in max. height

2/09

**Addendum Item 1:**

Revise wording of Recommendation A(2) in committee report to (changes in bold):

Grant planning permission subject to the conditions listed in Appendix 1 of this report and subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of **a legal agreement under section 106 of the TCPA 1990 and section 16 of Greater London Council (General Powers) Act 1974.**

The **legal agreement** would cover the following matters:

- i. Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.
- ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

**Addendum Item 2:**

Addition of condition to remove new PD rights:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 (or any order revoking or re-enacting that order with or without modification), no development which would

	<p>otherwise fall within Class AA in Part 1 of Schedule 2 to that Order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.</p> <p>REASON: To safeguard the character of the area by restricting the scale of the development and to safeguard the amenity of neighbouring residents</p>
3/01	<p><b><u>Addendum Item 1:</u></b></p> <p>The following policy to be added to reason for refusal No. 3: Policy T6.4</p> <p><b><u>Addendum Item 2:</u></b></p> <p>The following wording to be amended at reason No. 4 and paragraph 6.6.3:</p> <p>Amend River Brent to Edgware Brook</p> <p>For clarification, the Edgware Brook is a tributary of the River Brent.</p> <p><b><u>Addendum Item 3:</u></b></p> <p>3 additional letters of objection have been received in response to the neighbour consultation with the following comments:</p> <ul style="list-style-type: none"> <li>• When the application was initially made, we were assured that there would be no further development at this site.</li> <li>• The proposed scale of the building is out of keeping with the scale of all the residential property on Camrose Avenue and Whitchurch Lane.</li> <li>• A venture into higher education does not seem plausible with the current pandemic</li> <li>• I would challenge the need for a hotel when there is a Premier Inn on Edgware High Road.</li> <li>• When neither the higher education or hotel succeed, there will be an attempt to make the site residential.</li> <li>• Harrow and The Hive are partners in the Hive Football Centre – it is a conflict of interest that Harrow approve itself this planning permission.</li> <li>• The Hive is the base of Brent Football premises whereas we are in Harrow. Why not find a place in Brent.</li> <li>• The Hive is building step by step a Wembley II</li> <li>• The tube station that gives access to the Hive is Canons Park which allows a mass use of the facilities, bathrooms, garbage and traffic.</li> <li>• The proposal will contribute to the already existing daily parking issues and congestion caused during match days.</li> <li>• A hotel will cause a lot of distress to residents in the local area, as it is there is an issue with light pollution</li> <li>• There are also chances of an increase in drug related crime and antisocial behaviour during match days.</li> </ul> <p><b><u>Addendum Item 4:</u></b></p> <p>The following additional comments have been received from the applicant:</p> <p>The Hive London is designated as ‘open space’, but it is also designated as an</p>

important sports destination with opportunities for enhanced community access. The proposed development of a hotel, student accommodation and higher education facilities would enhance the existing and approved sports facilities on site and provide further community benefit.

Your view is directly in conflict with the appeal decision for the North Stand (APP/M5450/W/17/3188361) in June 2018 clearly set out how development at The Hive London should be considered in relation to the open space designation and the designation of The Hive London as a centre for sporting excellence.

In making that decision, the Inspector stated that:

*“this extension has been built over the existing hard surfaced area and so there has been no reduction in the amount of open space or playing fields onsite”.....”Consequently I conclude that the development at the North Stand as constructed does not have any harmful effect on the character and appearance of the area. As such it accords with Policies CS1 and CS9 of the London Borough of Harrow Core Strategy (CS), or Policies DM1, DM2, DM9, DM10, DM18, DM42 or DM48 of the London Borough of Harrow Development Management Policies Local Plan (DP) or with Policies 3.19, 7.4, 7.6, or 7.18 of The London Plan (LnP). Together these aim to secure development that is appropriately designed and located and protect open space and recreational facilities”.*

In short, through any reasonable analysis of the policy position, it's should be determined that there is no conflict with the aims and objectives of The Hive London's designation. Indeed, improving facilities at The Hive London is supported in policy.

Notwithstanding this, in reaching a planning decision, it is necessary for officers to take in to account all material considerations relevant to the application, and to weigh these in the planning balance.

In this case, the development will deliver significant benefits for the Borough. These include the following:

- Job creation during construction and in the operation of the proposed development;
- Significant financial investment in the Borough;
- The enhancement of a world leading sports facility;
- The delivery of additional conferencing facilities for the local community and businesses;
- The delivery of additional opportunities for further education for local young people;
- The enhancement of a world leading diagnostic screening facility, which is used by the NHS;
- The delivery of significant economic input into the local community from visitors to the hotel, students and patients of the diagnostic centre;
- Boosting tourism in Harrow and increasing tourism expenditure in the local area; and

- Providing landmark development for the Borough.

Officer Response: The consideration of the North Stand is an entirely different proposal to the proposed uses under the current application. The stadium stands would be regarded as ancillary to the use of the open space and site allocation but the proposed hotel, education facility and medical facility would not and would be completely at odds with the site's allocation for community outdoor sport. The public benefits of job creation, tourism and education are recognised but they are not considered to outweigh the significant harm identified in the committee report appraisal and moreover there is no flexibility within policy DM 18 concerning open space.

**Addendum Item 5:**

**Amend the Ward to:**

Queensbury

**Agenda Item 10 – Representations on Planning Applications**

2/05	1 Canons Park Close, Donnefield Avenue, Edgware, HA8 6RJ (P/1277/20)	Objector: Mr K R Chainani (Statement to be read by Chair)
2/08	42 Roxeth Hill, Harrow, HA2 0JW (P/1715/20)	Objector: Tina Hussein Applicant: Mallika Vaja
2/09	Land Rear of 259 Pinner Road, Harrow, HA1 4HF (P/4355/19)	Objector: Asif Mohammed Applicant: Sarah King
3/01	The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware HA8 6AG (P/1564/20)	Objector: Jitendra Thakorlal
3/02	Mallory, Priory Drive, Stanmore, HA7 3HN (P/1463/20)	Objector: Veenay Shah