

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 12th January 2005 at 7.00 pm

PRESENT: Councillor Cribbin (Chair) and Councillors Freeson, Kansagra, McGovern, H M Patel, R S Patel (alternate for Harrod), Sengupta and Singh.

Apologies for absence were received from Councillors Chavda and Harrod.

Councillor O'Sullivan also attended the meeting.

1. Declarations of Personal and Prejudicial Interests

None declared

2. Requests for Site Visits

No requests were made at the start of the meeting

3. Minutes of Previous Meeting

RESOLVED:-

that the minutes of the meeting held on 30th November 2004 be agreed as a true and accurate record.

4. Planning Applications

RESOLVED:-

that the Committee's decisions/observations on the following applications for planning permission under the Town and Country Planning Act 1990 (as amended), as set out in the decisions below, be adopted. The conditions for approval, the reasons for imposing them and the grounds for refusal are contained in the Report from the Director of Planning and in the supplementary information circulated at the meeting.

ITEM NO	APPLICATION NO (1)	APPLICATION AND PROPOSED DEVELOPMENT (2)
NORTHERN AREA		
1/01	04/0974	6 Mount Stewart Avenue, Harrow HA3 0JP Erection of part single-storey, part two-storey side and rear extension, rear dormer window, and installation of 3 rooflights in the side roof slopes of the dwellinghouse

The Northern Area Planning Manager clarified the impact of the proposed development on the amenities of the occupiers of No 4 Mount Stewart Avenue in particular the habitable room windows. He stated that the massing of the extension, caused by a lack of visual interruption, would have an unacceptable impact on the amenities of the occupiers of No 4 Mount Stewart Avenue with particular regard to the rear kitchen window of this property.

Mr B Sachania, the applicant, stated that the fence referred to in the report would be reinstated and referred to extensions in the area that were similar to his proposal. He added that the minimal loss of light that would result would not be adequate to warrant a refusal of this proposal which was fully supported by the neighbours at No 8 Mount Stewart Avenue.

In response to the applicant's submissions, the Northern Area Manager stated that the width of the extension would leave a 0.25 metre gap between properties instead of the 2 metre gap required under the Design Guide for the Mount Stewart Conservation Area.

OFFICER RECOMMENDATION: Refuse planning permission

DECISION: Planning permission refused

1/02 04/2872 125 & 127 Chalkhill Road, Wembley, HA9

Installation of 2 rear dormer window extensions

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission approved subject to conditions

1/03 04/2012 15 Bouverie Gardens, Harrow, HA3 0RQ

Demolition of existing garage, erection of single storey rear extension, 2-storey side extension, rear dormer window and single storey detached store at rear of garden

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted subject to conditions

1/04 04/3375 7 Grendon Gardens, Wembley, HA9 9ND

Demolition of side projection to existing house and its absorption within the erection of a 2-storey semi-detached dwellinghouse, with the construction of a rear dormer window, 1 side rooflight and single storey rear conservatory extension to both the existing and proposed houses and alterations to the roof of No 7 Grendon Gardens

The Assistant Northern Area Planning Manager stated that he had received revised plans that resolved the inconsistencies on the design and positioning of the existing and proposed windows. He therefore amended condition No 5 as set out in the supplementary information circulated at the meeting. He referred to a number of issues raised at the site visit, including consultation, overlooking, inaccurate site plan, the need for conservation area consent, amenity space and front garden layout and offered the following responses. Initial consultation letters were sent to the surrounding properties including No 2 Barn Rise, site notices were placed on site on the 24th November and an advertisement was placed in "The Harrow Observer". The occupier of No 2 Barn Rise raised no objection. However to overcome the concern expressed by local residents about overlooking, he recommended an additional condition No 11 for obscure glazing on the flank wall facing No 2 Barn Rise as set out in the supplementary information circulated at the meeting.

He added that as the proposal related to the partial demolition of the existing dwellinghouse there was no requirement for conservation area consent. In order for the amenity space and front garden layout to comply with the criteria as set out in Policy BE7 and the Barn Hill Conservation Area Design Guide he recommended an additional condition No 12 as set out in the supplementary information requiring further details of the front garden layout with a minimum of 50% hard landscaping to be submitted.

Mr J C Caygill objected to the proposed development on the following grounds:-

- (i) loss of gaps between the houses;
- (ii) increase in traffic and shoppers in the area;
- (iii) the proposed workshop in the basement of the property;
- (iv) No 7 Grendon Gardens was currently sub-let and not used as a family dwelling.

Mr John Wood, representing Barn Hill Residents' Association, also objected to the proposed development on the following grounds:-

- (i) the plans were inaccurate and misleading and therefore the location plans were incorrect;
- (ii) the proposed development would create an undesirable precedent and create a major detrimental impact on the conservation area of Barn Hill
- (iii) it fails to comply with the supplementary planning guidance note 5;
- (iv) the development will create further detrimental impact on traffic flow in the area

In accordance with the provisions of the Planning Code of Practice, Councillor O'Sullivan, the Ward Member, stated that he had been approached by the Barn Hill Residents' Association. Councillor O'Sullivan echoed the objections raised and stated that there had been improper consultation with residents. He added that the proposed development would set an undesirable precedent by the creation of a pair of two semi-detached houses on a single plot within a conservation area.

In responding to the issues raised, the Assistant Northern Area Planning Manager reiterated that the application complied with policies including Supplementary Planning Guidance Note 5 on design and appearance of the building. The Head of Area Planning added that although the proposal had 4 levels, including a basement, it would appear as a two-storey house, which was a common feature within the area. He added that any basement use should be ancillary to the use of the main building.

Members then discussed this application during which differing views were expressed. Councillor Kansagra felt that the proposal would be inappropriate within a conservation area and urged its refusal. Councillor Freeson expressed the view that there were several properties with designs which could be seen as unsatisfactory within the conservation area of Barn Hill. He supported the application as long as the current design matched the area.

Prior to voting, the Legal Adviser stated that the house should be used as a dwellinghouse only and that any other use would constitute a breach of the planning permission. The Head of Area Planning suggested that an informative be added on the use of the property.

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted, subject to conditions, an amended condition 5 and additional conditions 11 and 12 as set out in the supplementary information

1/05 04/3300 39 Keyes Road, NW2 3XB

Conversion of single dwellinghouse to three self-contained flats, alteration to side elevation, erection of semi-enclosed parking space.

The Assistant Northern Area Planning Manager referred to the contents of the supplementary information circulated at the meeting that confirmed that the proposed development would be a 'car free' scheme. This meant that future residents would be formally excluded from obtaining any resident's or visitor's permit within any CPZ operating within the locality of the site. This would be controlled by the operation of a Section 106 agreement. In respect of the refuse, recycling and storage, he stated that this met with Policy H18 and Supplementary Planning Guidance Note 17. He considered that there was sufficient space both internally and externally for the storage of refuse and recyclable materials. He drew attention to condition No 6 that requested further details of refuse enclosures to be submitted to the Committee.

He then clarified the situation in respect of consultation with residents carried out on 29th November and 6th December 2004 although the 21-day period following the Site Notice had expired the day before the meeting of the Committee. He then referred to further objections raised by residents regarding on-street parking and the impact of the conversion on the character of the conservation area and officers' responses as set out in the supplementary information. He amended conditions No 6 and 7 and added an additional condition No 9 as set out in the supplementary information

Mr Leon Ferera, the adjoining neighbour, objected to the application on the grounds that the applicant had changed the proposal on which residents were consulted. In addition, there were unresolved issues on the site wall. In view of this, he urged that the applicant should be required to re-submit a full planning application as the proposal was within a conservation area. He expressed doubts about how the Section 106 agreement on a 'car free' scheme was going to work. He urged Members to defer the application until full consultation had been carried out.

Ms Sheelagh Putnam stated that the plans for inspection related to an old application but not the revised application before Members. She added that the consultation period only expired the day before this meeting by which time the report had been written and published. As the details of the proposed Section 106 had not been made available for inspection, she urged Members to be minded to defer the application to enable proper procedures on consultation to be followed.

In responding to the concerns raised above, the Head of Area Planning stated that the minimum statutory consultation period had been complied with, that Section 106s were not normally concluded until after the Committee's decision and that, in this instance it was considered appropriate to condition the design of the new wall and refuse facilities. However, in response to the concerns raised by residents, he recommended deferral of the application for further consultation.

OFFICER RECOMMENDATION: Approval, subject to conditions and a Section 106 agreement

DECISION:Deferred to enable the applicant to prepare revised plans for consultation.

SOUTHERN AREA

2/01 04/3362 Car Park rear of 155-163 Kilburn High Road, NW6

Erection of a part 3-, part 5-storey building, with basement for teaching and ancillary activities (Use Class D1) to replace existing Kilburn college building with main entrance off Priory Park Road (3234m² gross external area), together with disabled and cycle parking, a servicing bay and landscaping works on the car park and "Link Road"

The Southern Area Planning Manager referred to the representations received from residents and officers' responses as set out in the supplementary information circulated at the meeting. In clarifying these, he said that the new college building would help to regenerate the area and enhance the viability of the town centre through investment in a new landmark building that would serve the educational needs of the local and wider community. There was no evidence to substantiate the claim that crime would increase as a result of the development adding that the college's own security provision including CCTV cameras would protect the new building and assist in improving community safety. The design would encourage the use of public transport and cycling.

The applicants had agreed a long lease with the Council with regard to the link road. The improvements envisaged would deter fly-tipping and prevent the unauthorised use of the land as a car park. As exact details on maintenance and management scheme for the link road were not available, the applicant had agreed to the imposition of an additional condition requiring further details to be submitted to the authority prior to the opening of the new college. He added that following advice from the Council's Borough Solicitor, conditions 3, 4, 5, 7 and 8 had been amended as set out in the supplementary information.

Mr L Clyne objected to the proposed development on the grounds of lack of maintenance and rat infestation in the link road as a result of rubbish dumping. He urged Members to reject the application.

Mr Al Forsyth, representing KABRAG, objected to the proposal on the following grounds:-

- (i) the site was a major opportunity site for regeneration of Kilburn and therefore unsuitable for its redevelopment for the use by the college;
- (ii) the design of the building was insensitive to the feelings of residents;
- (iii) a substantial loss of light as a result of the development;
- (iv) the college had not secured adequate funds for the scheme and that they had not acknowledged the strong feeling of opposition by the local residents;

Mr Forsyth therefore urged Members to either defer the application or to refuse it.

A model of the proposal was displayed by the agent. Mr Malcolm Rapier, the Assistant Principal of the College, stated that under the proposals the college would be fully responsible for maintaining the link land and that the increased lighting and the installation of CCTV cameras would improve the existing use of the link road. He added that according to an OFSTED report, the current Kilburn Centre site was not suitable for learning and emphasized the need for refurbishment. It was for this reason that the college was submitting proposals for a landmark and state of the art development for approval. In his view the amenity of the area would be improved leading to the regeneration of the local area of Kilburn. Mr Rapier urged Members to be minded to approve the application in line with officers' recommendation.

In response to Members' questions, Mr Rapier said that teachers at the college would be using the car park in Willesden and that basement parking within the proposal was not considered appropriate to the design of the building. He added that the management of the site and the road between St Julian's Road and the High Road would make the development a visually attractive proposal.

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted subject to conditions as amended in conditions 3, 4, 5, 7 and 8 as set out in the supplementary information and an additional condition on management and maintenance of the link road.

2/02 04/3136 Store rear of 2 Wrentham Avenue, NW10 3HA

Conversion of warehouse at ground floor to 14 self-contained flats, erection of security gate to access road, replacement of derelict roof structures to building

OFFICER RECOMMENDATION: Refusal

DECISION: The Committee would have been minded to refuse the application based on information available, had it not been withdrawn.

2/03 04/3608 79 Leghorn Road, NW10 4PE

Demolition of existing workshop and construction of a part 2-storey and part 3-storey block of 11 flats with associated amenity space and boundary enclosure

OFFICER RECOMMENDATION: Approval, subject to conditions and a Section 106 agreement

DECISION: : Planning permission granted subject to conditions and a Section 106 agreement

2/04 04/3212 16 Plympton Road, NW6 7EG

Erection of single storey rear extension, rear dormer window, 1 front rooflight and conversion into 3 self-contained flats

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted subject to conditions with the deletion of condition 5

WESTERN AREA

3/01 04/2723 Land rear of 25 & 27 Stapleford Road, Queen Victoria Avenue, Wembley, HA0

Demolition of existing double garage and erection of two-storey detached dwellinghouse with two parking spaces

OFFICER RECOMMENDATION: Refusal

DECISION: The Committee would have been minded to refuse the application based on information available, had it not been withdrawn.

3/02 04/3192 95 & 97 Ealing Road, Wembley

Demolition of existing hotel, erection of part single and three-storey flat roofed building with roof top lift/stairs enclosure to form 20 bedroom hotel, basement-level restaurant with bar and associated facilities, provision of 8 parking spaces, refuse storage area and lift/stairs enclosure to rear

OFFICER RECOMMENDATION: Refusal

DECISION: The Committee would have been minded to refuse the application based on information available, had it not been withdrawn.

3/03 04/2891 34 Littleton Road, Harrow, HA1 3SU

Erection of two storey side and part single and two-storey rear extension of a dwellinghouse

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted subject to conditions.

3/04 04/2573 39 Amery Road, Harrow, HA1 3UH

Demolition of an existing single storey side and part rear extension and erection of part single and two-storey side and single storey rear extension and installation of a rear dormer window to provide additional bedroom in the roof space

OFFICER RECOMMENDATION: Approval, subject to conditions

DECISION: Planning permission granted subject to conditions.

3/05 04/1255 IKEA Department Store, 2 Drury Way, NW10 0TH

Erection of ground floor extensions to retail store, and alterations to customer entrance, toilets and customer returns area, extension to first floor restaurant and formation of first floor staff facilities within existing building, external fire escape and canopy link extension, alterations to external appearance of building including partial recladding, erection of canopies and alterations to car parking, vehicular and pedestrian access within the site

OFFICER RECOMMENDATION: Approval, subject to conditions and a Section 106 agreement

DECISION: Planning permission granted subject to conditions and a Section 106 agreement.

3/06 04/0912 95 Hirst Crescent, Wembley, HA9

Erection of part 2 and 3-storey nursery school building with off-street parking provision

OFFICER RECOMMENDATION: Approval, subject to conditions and a Section 106 agreement

DECISION: Approved planning permission subject to conditions and a Section 106 agreement.

6. **8/12 Homestead Park and 104 Dollis Hill Lane Tree Preservation Order – Application for Consent to Prune G1, 26 Laurels**

In September 1999 the Planning (Sub) Committee made a tree preservation order on a line of 26 Laurel trees located within the rear garden of 104 Dollis Hill Lane, on the boundary of Homestead Park Conservation Area. At that time it was apparent that a site for development was being assembled, including 104 Dollis Hill Lane, and that the Laurels were of high amenity value, providing a green edge to the East boundary of the Conservation Area. In addition, the Laurels were considered at risk of being removed and the tree preservation order was made to prevent their removal, despite objection from the then owner of the land.

The Committee had before them an application to prune the Laurels which was the subject of three objections.

The Principle Landscape Designer stated that he had met with the applicant and the objector both of whom agreed on the value of the Laurels and the importance of privacy to both sides. As a result of this meeting, both parties had agreed that no branches above 10mm in diameter would be removed and that gaps in the line of trees should be filled with new plants. He added that the exact details of the wording would be agreed with the Borough Solicitor.

RESOLVED:-

- (i) that consent be granted to prune Group 1, 26 Laurels, by removing a maximum of 1.0 metres of growth on the East side only;
- (ii) that it be noted the consent does not allow a reduction in height of the Laurels;

- (ii) that no branches above 10mm in diameter be removed;
- (iii) that where there are gaps in the line of trees, these be filled with new plants.

7. Any Other Urgent Business

None raised at this meeting

8. Date of Next Meeting

The next meeting scheduled to take place on Wednesday, 26th January 2005 is to consider policy issues only. The next meeting of the Committee, to consider planning applications, is scheduled to take place on Wednesday, 2nd February 2005 at 7.00 pm. The site visit for this meeting will take place on Saturday, 29th January 2005 at 9.30 am when the coach leaves from Brent House.

The meeting ended at 8.50 pm.

M CRIBBIN
Chair

Mins2004'05/Council/planning/pln12jak