

MINUTES OF THE PLANNING COMMITTEE
Wednesday, 29th March 2006 at 7.00 pm

PRESENT: Councillor Harrod (Vice Chair in the Chair) and Councillors Allie, Freeson, Kansagra, J Long, McGovern, H M Patel and Singh.

Apologies for absence were received from Councillor Cribbin and Sayers.

1. Declarations of Personal and Prejudicial Interests

None

2. Minutes of Previous Meeting – 1st March 2006

RESOLVED:-

that the minutes of the meeting held on 1st March 2006 be received and approved as an accurate record.

3. Requests for Site Visits

None

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 decision column 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	05/3503	16 Wotton Road, NW2 6PX Certificate of lawfulness for existing use as car repairs garage with ancillary MOT testing (Class B2)

OFFICER RECOMMENDATION: Grant Certificate of Lawfulness, subject to a condition and an informative

DECISION: Certificate of Lawfulness of use granted

1/02 06/0013 76 & 78 Draycott Avenue, Harrow, HA3

Retention of a three-storey block, comprising 10 self-contained flats, a bin enclosure and 10 car parking spaces

OFFICER RECOMMENDATION: Refuse planning permission

The North Area Manager informed the Committee that the applicant had submitted revised drawings proposing amendments to the scheme in respect of a lowered eaves detail, a reduction in the height of the wall to improve pedestrian safety and tile hanging to part of the frontage. These were not considered adequate to address the concerns raised over the development as built. He added that the scheme suffered in a number of areas including from insufficient articulation which also aggravated the impact of the building line and certain design features a range of design concerns relating to the main building and the location of the bin store. In reiterating the reasons for refusal, the Area Manager referred to some amendments as set out in the supplementary information circulated at the meeting.

Mr Bill MacLeod referred to a number of changes to the approved scheme including installation of security gates, the parking and access facilities which he considered were satisfactory. He considered the general design matters to be subjective. He urged members to be minded to approve the application.

During debate, Members expressed concerns about the application in particular in respect of inadequate roof and elevational articulation, the relationship to the boundary, the window detailing, the design of the rear bay and the location of the bin area.

DECISION: Planning permission refused

1/03 06/0250 254 & 256 Woodcock Hill, Harrow HA3 0PH

Demolition of 2 houses and construction of 2 blocks comprising a total of 14 flats

OFFICER RECOMMENDATION: Refuse planning permission.

The North Area Planning Manager stated that the sustainability checklist for the application of only 9% was fairly detrimental and required improvement to reach an acceptable level. He referred to a number of objections raised by residents to the application about inadequate on-site parking facilities and its impact on access for emergency vehicles and taxis which were taking the elderly to various day centres. He added that the applicant had failed to demonstrate that the amount of affordable housing in the development was the maximum reasonable, contrary to policy H3 of the adopted Unitary Development Plan, a further reason for recommending refusal.

Mr Barry Stacey withdrew his request to address the Committee.

DECISION: Planning permission refused

1/04 05/3013 260-262 Dollis Hill Lane, NW2

Conversion of two semi-detached dwellinghouses into one maisonette and 3 self-contained flats, installation of 1 rear and 3 front rooflights, erection of single storey rear extension, two rear dormer windows and associated car parking

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and an informative

DECISION: Planning permission granted, subject to conditions and an informative

1/05 05/2144 The Blue Ginger Bar, 383 Kenton Road, Harrow, HA3 0XS

First floor rear extension, rear external staircase, internal alterations, roof extension to provide gallery with rooflight to public house

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

The North Area Manager informed the Committee that the applicant had confirmed the replacement and relocation of the roof top plant to which a condition had been attached requiring full details to be submitted before work commenced on site. He also recommended a further condition on the hours of use of the function area as follows; 11.00 to midnight (Sunday to Thursday) and 11.00 to 1:00 pm on Fridays to Saturdays in order to protect the amenities of nearby residents.

Mr Cyril Harrison speaking on behalf of the retired residents of the adjoining block of flats expressed concerns about noise nuisance, inadequate parking facilities, inadequate extractor fan and the chaos caused by large number of people attending the functions room.

In responding, the Planning Manager said that although the parking provision complied with the Councils' standards, that changes proposed or conditioned would improve some existing issues and that the concerns about smells could be dealt with to the satisfaction of the Council's Environmental Health team.

During the debate Councillor Freeson expressed a view that in addition to being an over-development of the site, the car parking was a major issue which could not be resolved by a travel plan. Councillor Singh echoed similar sentiments. Councillor Kansagra felt that the conditions recommended for the functions room needed to be tightened and suggested the inclusion of measures to control amplified music and sound and the installation of air conditioning system to prevent the windows of the functions room being opened to the detriment of residential amenities.

DECISION: Planning permission granted, subject to conditions to include a management plan, hours of use of function room, installation of air conditioning and sound limiter.

1/06 05/3620 42 Basing Hill, Wembley, HA9 9QP

Erection of rear conservatory to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and an informative

DECISION: Planning permission granted, subject to conditions and an informative

1/07 05/3020 1 & 3 Northview Crescent, NW10 1RD

Erection of single storey rear extension to dwellinghouses

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions

DECISION: Planning permission granted, subject to conditions

SOUTHERN AREA

2/01 06/0052 Tiverton Youth & Community Centre
Wrentham Avenue, NW10 3HN

Outline planning permission for demolition of existing building and erection of part 3-storey and part 6-storey building comprising of a medical centre, community centre and 24 self-contained flats (matters to be determined: siting, design and means of access), accompanied by letter dated 09/01/06 from Robert O'Hara Architects

OFFICER RECOMMENDATION: Refuse planning permission

DECISION: Planning permission would have been refused on the information available had it not been withdrawn

2/02 06/0132 117, 119A & 119B Malvern Road, NW6

Outline planning permission for erection of a four-storey and five-storey building, consisting of 60 residential units (11 studio flats, 32 one-bedroom flats, 16 two-bedroom flats and 1 three-bedroom flat) provision for 12 parking spaces, refuse stores and associated landscaping (matters to be determined: siting and means of access), as accompanied by Planning Statement (January 2006), Design Strategy and Daylight & Sunlight report

OFFICER RECOMMENDATION: Refuse planning permission

The South Area Manager stated that the sustainability checklist submitted by the applicant of 34% fell short of the Council's objective and was thus contrary to policies STR14 and BE12 of the adopted Unitary Development Plan 2004 and the guidance contained in Supplementary Planning Guidance (SPG) 19. In re-affirming the recommendation for refusal, the Area Manager said that the application failed both in its mix of housing and the inadequate level of affordable housing.

In welcoming the recommendation for refusal, Councillor Allie queried whether the South Kilburn New Deal for Communities (NDC) would be involved in similar consultations in future.. Councillor Freeson in expressing the need for clarification on all sites within the master plan area requested a report giving policy advice on the sites within the master plan area to a future meeting.

DECISION: Planning permission refused

WESTERN AREA

3/01 05/3090 1 Amery Road, Harrow, HA1 3UH

Erection of first floor rear extension, rear dormer window extension, installation of 1 rear rooflight and one new bathroom window at first floor level on either side of the side elevation of the dwellinghouse (as amended by revised plans received on 16/02/06 and loft section drawing received on 14/03/06)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and an informative

The Assistant West Area Manager said that as the first floor rear extension would be set back 0.5 metres from the rear elevation, there would be no impact on lighting to the kitchen window in the rear elevation of No.3. The concern raised about the transference of smells between bathrooms was not a planning issue. In respect of concerns raised by the resident at No.7 Pebworth Road, he said that the proposal would not have a significant impact on sunlight and details to the green house outbuilding.

Ms. Shah raised objections on grounds of loss of daylight, loss of privacy and transference of smells with bathroom windows of adjoining properties facing each other. She also enquired about the applicant's arrangement for the scaffolding.

Dr Sheena Johnson objected to the proposed development on grounds of shading to her greenhouse and the impact that would have on the orchids she was growing in her green house.

Mrs. Patel speaking in support of her application stated that the proposed development would not have an impact on the next door neighbour's daylighting.

DECISION: Planning permission granted, subject to conditions

3/02 05/3619 25 Elmstead Avenue, Wembley, HA9 8NS

Retention of single storey side and rear extension, including altered front canopy extension and erection of front porch enclosure to dwellinghouse

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and an informative

The Assistant West Team Manager referred to objections submitted by the neighbour at No 27 in support of their allegation that the extension caused a breach of the boundary line between 25 and 27 Elmstead Avenue, specifically referring to a Land Registry Map and a report from their appointed surveyor that the extension at the northern corner extended into their garden by 1.2 metres. For these reasons, the objector sought a delay in Committee's decision on this application pending further evidence from an independent surveyor. The Assistant Manager stated that revised plans had been received that accurately reflected the conditions on site and complied with standards adding that there seems to be contradictory evidence on ownership.

Mr Chmielewski of No.27 Elmstead Avenue reiterated his objections to the application specifically to the boundary line adding that the officers' report had not adequately addressed the issues. Although he acknowledged the civil nature of his objections, he sought a delay in Committee's decision to enable an independent surveyor to resolve the matter.

Mr Varsani the applicant said that the objector's survey report was inaccurate. He referred to the revised plans he had submitted that complied with requirements and urged members for approval. In response to a question from the Chair, he advised that he did not feel that the issue would be resolved amicably.

During debate, members felt that issues raised by the objector were civil matters and not ones which would justify planning permission being refused. This position was echoed by the Borough Solicitor's representative. Members were minded to approve the application and delegated authority to the Head of Area Planning to determine the application to be exercised within two weeks to allow the parties, further time to resolve any outstanding civil issues.

DECISION: Minded to approve but determination of the application be delegated to the Head of Area Planning, such determination to be made within 2 weeks

3/03 05/3699 1 Dalmeny Close, Wembley, HA0 2EU

Demolition of existing garage, erection of 2-bedroom bungalow, resiting of existing crossover, formation of additional crossover, hardstandings, alterations to existing front boundary treatment

OFFICER RECOMMENDATION: Refuse planning permission

The Assistant West Team Manager referred to additional observations on the application as set out in the supplementary information circulated at the meeting. He added that width of the site would be inadequate to accommodate a house of the design, scale commensurate with the surrounding houses in the area.

Mr Rogers stated that the garage that was proposed to be demolished for the site of the proposed bungalow was redundant. He added that the application which would not involve loss of trees had been revised to comply with the street scene and the Council's standards. He urged members for approval.

DECISION: Planning permission refused.

3/04 05/3484 Euro Car Parts, Euro House, Fulton Road, Wembley, HA9 0TF
Formation of vehicular crossover at Fourth Way to site (as amended by revised plan received on 13/03/06)

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and informatives

DECISION: Planning permission granted, subject to conditions

3/05 06/0154 John Lyon Public House, 231 Watford Road, Harrow, HA1 3TU
Replacement and extension of side boundary fencing, installation of timber decking area to existing side patio area, new playground equipment to rear, extension of existing rear patio area with loss of one car parking space and erection of fencing to rear of public house

OFFICER RECOMMENDATION: Grant planning permission, subject to conditions and informatives

The Assistant West Team Manager revised plans that detail changes to the children's play area and associated patio had been received in response to the safety concerns. The deletion of the bouncy castle from the scheme and the details of the fence were considered to be acceptable and therefore condition 2 was no longer necessary.

DECISION: Planning permission granted, subject to conditions as deleted in condition 2 and an informative

5. Planning Appeals

Members were requested to note the information reports in the information bulletins circulated at the meeting.

RESOLVED:-

that the following be noted:-

- (i) Planning appeals received – 1st – 28th February 2006
- (ii) Enforcement appeals received – 1st – 28th February 2006
- (iii) Planning appeal decisions – 1st – 28th February 2006
- (iv) Enforcement appeal decisions – 1st – 28th February 2006
- (v) Selected planning appeal decisions list – 1st – 28th February 2006
- (vi) Copies of selected appeal decisions – 1st to 28th February 2006

6. **Date of Next Meeting**

The next meeting of the Committee, which will consider planning applications will take place on Wednesday, 26th April 2006 at 7.00 pm. The site visit for the meeting will take place on the preceding Saturday, 22nd April 2006 at 9.30 am when the coach leaves from Brent House.

7. **Any Other Urgent Business**

3/05 05/3693 DOYLE NURSERY SCHOOL, College Road, London NW10 5PG

Erection of a part 2-storey, part 3-storey building to provide 7 x 1-bedroom flats and 7 x 2-bedroom flats (a total of 14 units) with 12 parking spaces and 5 Sheffield Type cycle stands within the basement, involving the demolition of the existing nursery building and the relocation of the electricity sub-station (“car-free development”)

OFFICER RECOMMENDATION: Refuse planning permission previously granted on 1st March 2006.

This report revisited the previous recommendation for approval of the above application which was reported to the Planning Committee of 1 March 2006 when Members resolved to grant consent for the development subject to a 106 Legal Agreement. Members were informed that the applicant had reneged by their refusal to enter into the section 106 agreement on the terms previously approved by the Committee on 1st March 2006

The Chair certified the application as urgent for the following reason:-

In the context of the Government’s 13-week target and performance for “Major Developments” and the potential implications for the Planning Delivery Grant, the applicants have declined the Section 106 Heads of Terms as reported to the Planning Committee of 1 March 2006 and where Members resolved to grant consent.

The application was not available for despatch five clear days before this meeting because the applicant only stated a refusal to enter into the section 106 agreement on the terms previously approved by the Committee, on 28 March 2006. The application could not be deferred to the next meeting on 26th April 2006 as the expiry of the Government's 13-week target relating to "Major Developments" is 30th March 2006.

The Committee was informed that the applicant's failure to agree to the Section 106 Legal Agreement Heads of Terms relating to a Controlled Parking Zone Restriction for the development was likely to generate additional on-street parking in an area where there was already a high demand for on-street parking given that both College Road and Doyle Gardens and streets within the vicinity of the street were defined within the Brent Unitary Development Plan 2004 as Heavily Parked Streets. The development would thus be detrimental to highway and pedestrian safety contrary to policies TRN23, TRN24 and PS14 within the Brent Unitary Development Plan 2004. Members were advised that the Decision Notice had not yet been issued and therefore it was open to the Committee to reconsider its decision in the light of the applicant's refusal to enter into a s106 agreement as stated above.

DECISION: Planning permission refused.

The meeting ended at 9.05 pm

M CRIBBIN
Chair

Mins2005'06/Council/planning/pln29Mar06