

Committee:	Development Management Committee
Date:	25 February 2009
Subject:	INFORMATION REPORT – Urgent Non-Executive Decision: Woodpeckers and 9 Eastglade Public Inquiry.
Responsible Officer:	Hugh Peart - Director of Legal and Governance Services
Portfolio Holder:	Councillor Marilyn Ashton - Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	None.

Section 1 – Summary

The Urgent Non-Executive Decision procedure, set out in Part 3 of the Council's Constitution, requires all decisions taken under the procedure to be reported to the appropriate Committee. The Committee is requested to note the action taken under the Urgent Non-Executive Decision procedure, as outlined in Section 2 below.

FOR INFORMATION

Section 2 – Report

CIRCUMSTANCES

Planning application P/2307/07/COU was refused under delegated powers on 1st October 2007. This application sought outline planning permission (Layout, Access and Scale) for the demolition of 9 Eastglade and the erection of 4, two storey detached houses, with accommodation at loft level, double garages and layout of access road and vehicular access onto Eastglade.

Planning application P/0208/08/CFU was reported to the Strategic Planning Committee on 17th March 2008. This application sought planning permission for the demolition of 9 Eastglade and the erection of 3 single/two storey detached houses with accommodation at loft level, with double garages, layout of access and vehicular access onto Eastglade. The application was recommended for refusal, the Committee resolved accordingly.

Planning application P/2563/08 was reported to the Development Management Committee on the 3rd September 2008. This application sought planning permission for the demolition of 9 Eastglade and erection of 2, single/two storey detached houses with basements and double detached garages, layout of access road and vehicular access onto Eastglade. The application was recommended for refusal and the Committee resolved accordingly.

The appellant had appealed against the Council's decision to refuse planning permission for each of the above applications. The Planning Inspectorate had co-joined all three appeals into one appeal which would be heard at a Public Inquiry which was scheduled to take place on the 24th to 27th February 2009.

The applicant had provided a full ecological survey as part of the appeal submission to the Planning Inspectorate. The Council's Ecological Consultant was satisfied with the additional information provided and that there were now no grounds for the Council to pursue this reason for refusal. The Council was therefore prepared to withdraw reason for refusal number 5 relating to ecology/biodiversity in relation to the Council's decisions on the three planning applications references: P/2309/07/COU, P/0208/08/CFU and P/2563/08.

As the latter two planning applications were reported to the Strategic Planning Committee and the Development Management Committee respectively, Committee resolution was required to not pursue the reason for refusal relating to ecology.

ACTION SOUGHT

Action Proposed: To withdraw refusal reason 5 relating to ecology/biodiversity on the Council's decisions for three planning applications, references: P/2309/07/COU, P/0208/08/CFU and P/2563/08. The application site formed part of Woodpeckers, Moss Lane, HA5 3AW and 9 Eastglade, Pinner, HA5 3AN. These decisions had been appealed and a Public Inquiry was scheduled to take place on 24 – 27 February 2009.

Reason no. 5 of the Council's decision to refuse planning permission in relation to all three applications read as follows:-

The proposed scheme fails to provide sufficient information regarding biodiversity and in the absence of such information and justification the proposed development would be inappropriate and would be potentially harmful to features of natural conservation or ecological value on the site contrary to policies D4, EP262, EP27 and EP28 of the Harrow Unitary Development Plan (2004).

Date of Request for Action: 13 February 2009

Reason for Urgency: The next available Committee (Development Management) date was 25th February 2009. The Public Inquiry commenced on the 24th February 2009 and would run for 4 days.

Given the tight timescale, urgent resolution was required prior to the commencement of the Inquiry.

Decision: Officer Recommendation agreed.

Section 3 – Further Information

None.

Section 4 - Contact Details and Background Papers

Contact: Vishal Seegoolam, Senior Democratic Services Officer, 020 8424 1883

Background Papers: Individual Urgent Non-Executive Decision Form, as reported.