

Planning Committee

ADDENDUM

DATE: Wednesday 5 September 2012

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HARROW COUNCIL

ADDENDUM

PLANNING COMMITTEE

DATE : 5th September 2011

1/02	<p>Amend description: VARIATION OF CONDITION 14 (USE CLASS RESTRICTION) OF PLANNING PERMISSION REF: P/1282/07 DATED 8 APRIL 2008 FROM 'THE LAND AND BUILDINGS, EXCEPT FOR THE MULTI USE PLAYING AREAS SHALL BE USED FOR THE PURPOSE SPECIFIED ON THE APPLICATION AND FOR NO OTHER PURPOSE OR FOR THE HIRE OF THE PREMISES FOR ANY PURPOSE, INCLUDING ANY OTHER PURPOSE IN CLASS D1 OF THE SCHEDULE TO THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (OR IN ANY PROVISION EQUIVALENT TO THAT CLASS IN ANY STATUTORY INSTRUMENT REVOKING AND RE-ENACTING THAT ORDER WITH OR WITHOUT MODIFICATION)' TO 'THE LAND AND BUILDINGS, EXCEPT FOR THE MULTI USE PLAYING AREAS SHALL BE USED FOR PRIMARY EDUCATION ONLY AND FOR NO OTHER PURPOSE OR FOR THE HIRE OF THE PREMISES FOR ANY AND SHALL NOT BE USED OR HIRED FOR ANY PURPOSE, INCLUDING ANY OTHER PURPOSE IN CLASS D1 OF THE SCHEDULE TO THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (OR IN ANY PROVISION EQUIVALENT TO THAT CLASS IN ANY STATUTORY INSTRUMENT REVOKING AND RE-ENACTING THAT ORDER WITH OR WITHOUT MODIFICATION)'</p> <p>VARIATION OF CONDITION 19 (RESTRICTION OF USE OF SCHOOL BY PUPILS AND STAFF ONLY) OF PLANNING PERMISSION REF: P/1282/07 DATED 8 APRIL 2008 FROM 'THE SCHOOL HEREBY PERMITTED SHALL BE USED SOLELY BY THE PUPILS AND STAFF AND SHALL NOT BE USED, HIRED OR MADE AVAILABLE FOR USE BY ANY OTHER PARTY' TO 'THE SCHOOL LAND AND BUILDINGS HEREBY PERMITTED SHALL BE USED FOR PRIMARY EDUCATION ONLY AND SHALL NOT BE USED, HIRED OR MADE AVAILABLE FOR USE BY ANY OTHER PARTY'</p> <p>g) Consultations: Following the original consultation on the current proposal, an additional letter has been sent to residents further detailing the implications of the proposed variations. In response to this, a further 19 comments have been received, 17 in objection and 2 in support/no objection. The following matters have been raised:</p> <ul style="list-style-type: none"> • Concerns over increase in traffic and parking issues; • Noise from children playing and vehicles; • Concern that extra classes would be retained permanently; • Would have an impact in conjunction with Barnet FC's plans for The Hive and Belmont Utd; • Concern over how the events would be managed and numbers controlled;
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- Concerns over drainage.

The **William Ellis Residents Association** have submitted a detailed response on the following points:

- The lifting of condition 14 should be on a temporary basis to ensure the school reverts to its intended use at the end of the 2012/13 academic year.
- There needs to be a 'framework' to define what could take place under the variation to condition 19 – consideration of this variation should be deferred for further discussions.

Consultation responses:

Apart from the matters addressed in the original Committee Report, the following matters are addressed as follows:

Concern that extra classes would be retained permanently: Amendments to the conditions set out below would ensure that this would be for a temporary period of one year.

Would have an impact in conjunction with Barnet FC's plans for The Hive and Belmont Utd: This has been taken into consideration.

Concern over how the events would be managed and numbers controlled/what would be allowed: The events that would be permitted would be typical of any school and would therefore not result in significant issues of management and control.

Concerns over drainage: This is not relevant to this application.

Amend conditions to read:

1. The variation of conditions 14 and 19 is for a limited period of one year only from the date of this permission. At the end of the one year period, the original conditions 14 and 19 of planning permission P/1282/07 shall apply.

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13.

2. The land and buildings, except for the multi use playing areas shall be used for primary education only and for no other purpose and shall not be used or hired for any purpose, including any other purpose in class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13.

3. The land and buildings hereby permitted shall be used for primary education only and shall not be used, hired or made available for use by any other party.

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13.

1/04	<p>Under Section 6 (Archaeology) ADD:</p> <p>The applicants have supplied an archaeological investigation report. This indicates that the works were monitored by a qualified archaeologist and indicates that no archaeological features or finds were revealed during the monitoring of the works.</p>

	<p>As a consequence of this report, it is recommended that a suitable condition requiring any potential finds prior to the completion of the works be investigated and reported to English Heritage.</p> <p>Under Conditions:</p> <p>Condition 1: ADD 'Archaeological Observation and Recording Report by Archaeological Solutions Ltd received 03-Sep-2012' to list of approved plans</p> <p>REPLACE Condition 3 with:</p> <p>The development within the Archaeological Priority Area shall be completed in accordance with the approved Archaeological Observation and Recording Report by Archaeological Solutions Ltd received 03-Sep-2012. Any archaeological finds revealed prior to the completion of the development hereby permitted shall be reported to English Heritage in accordance with the methodology in the approved report.</p> <p>REASON: To secure the provision of archaeological excavation and the subsequent recording of the remains in the interests of national and local heritage, as required by policy 7.8 of The London Plan (2011), Core Policy CS1.D of the Harrow Core Strategy (2012) and saved policies D20, D21 and D22 of the Harrow Unitary Development Plan (2004).</p> <p>Under Plan Nos ADD: Archaeological Observation and Recording Report by Archaeological Solutions Ltd received 03-Sep-2012</p>
<p>1/06 & 1/07</p>	<p>REVISED RECOMMENDATION</p> <p>Approval of details pursuant to paragraphs 5.1, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5 and 7.1 of the second schedule of the planning obligation attached to planning permission P/2203/06/CFU dated 5th November 2009.</p> <p>Following a site visit on the 15th August 2012 with LUC Landscape Architects, members of the Harrow Nature Conservation Forum and LBH officers Harrow Nature Conservation Trust have submitted comments on the proposals for the Country Park extension. A summary of the response to Harrow Nature Conservation Trust from the applicant are provided in italics with LBH planning officer comments provided in bold print.</p> <p>1. <u>Bat Populations</u> : A deed of covenant should be drawn up when selling the houses to ensure that home owners are prevented from installing external floodlights/security lights where these would damage the bat populations.</p> <p><i>Lighting information for the proposed development is provided within the information submitted to discharge condition 14 and within the bat mitigation strategy</i></p> <p>The LPA can not enforce that the developer ensures that home owners enter a deed of covenant with regard to domestic lighting for individual dwellings, this is a matter of private law. The bat mitigation scheme contains details of a lighting scheme for all the proposed houses on site which ensures that bats are protected, further to this a lighting scheme has been submitted in order to</p>

discharge condition 14. Condition 11 of the planning permission removes permitted development rights to all of the houses.

2. Snake and Bird Populations: Concerns are raised with regard to harm to nesting birds during removal of vegetation within the construction area. It is recommended that clearance is done after the bird nesting season but while the weather remains warm to allow grass snake movement, that is, in the period July to September. If clearance must be done earlier the vegetation should be checked by a qualified ecologist prior to work commencing.

This strategy has been agreed by the applicant and is included within the reptile and bird mitigation strategies.

3. Pet Grave Stones: The pet grave stones should be moved to a location within the Country Park Extension

These are included within the plans to be adjacent to the visitor centre

4. Dairy/Visitor Centre: Providing openings so that the whole roof space of the dairy is available for bat roosting is considered to be excellent. Toilets should be provided within the dairy building to ensure that school parties and other groups of children are able to visit the site.

The provision of toilets within the Dairy has arisen in the past. Such provision would result in the Country Park becoming a destination recreational/educational facility which in accordance with the green grid strategy is not necessarily the objective for the country park. Technicalities of servicing and associated works for surface and foul water connection still need to be assessed and the feasibility of this within the package of proposals for the Dairy, along with the management of the Site/Dairy, before any final decisions can be taken and confirmed.

There are concerns raised with regard to the long term maintenance of toilets provided within the building and furthermore there is currently no servicing for the building.

A further email has been received from the Chairman of Harrow Nature Conservation Forum stating that 'If the Council is accepting this minimal work on the dairy as the sole contribution to fulfilling clause 6.1.3 of the legal obligation, this would represent a considerable watering down of the original legal obligation'

A schedule of costs for the proposed works to the dairy building have been submitted which identify a sum of £54, 360.10. Paragraph 6.1.3 states the cost of the conversion of the dairy shall not exceed £100,000.

5. Protection of pond area and provision of nesting area for skylarks: Free running dogs constitute the most significant detriment to wildlife within ponds and ground nesting birds such as Skylarks. It is proposed to fence off a large area including the pond to provide protection for the pond and a habitat for the skylarks.

Skylark have not been recorded on the Wood farm site by the HNCF since 2002 and were not recorded during bird surveys in 2007. It is not considered that in fencing off this area it would successfully attract Skylarks as such provision is to made to the

south of the site within the bramble mosaic. It is recommended that fencing is included for a smaller area around the pond with the aim of excluding dogs from entering the pond.

A revised plan has been submitted identifying a smaller perimeter of fencing around the pond. The biodiversity officer advised that he did not consider that a fenced area to the south of the site would provide a suitable habitat for Skylarks. The area identified as bramble mosaic if managed properly would provide the most suitable habitat for Skylarks. Subsequently the reduced area of fencing proposed to protect the wildlife within close proximity to the pond is considered acceptable.

6. Access to Pear Wood: LUC suggested the provision of a lockable pedestrian gate to prevent access to Pear Wood from the Country Park Extension. It is considered that a fence is required where the hedge is weak but the preference is for there to be no gate.

The access point to Pear Wood has been omitted from the proposed plans

7. Access to the existing Country Park: It is considered that the number of pedestrian connections to the south from the country park extension to the country park should be reduced from 4 to 3 in order to protect vulnerable ecological receptors.

The number of pedestrian accesses points has been reduced and this is considered acceptable

8. Alterations to the path structure: A number of changes are proposed to the mown paths

The principle of the changes proposed is considered acceptable and the plans have been amended accordingly

9. Planting, seeding and seed mixes: It is recommended that green waste and slow release fertiliser when planting trees, scrub and hedge is used only adjacent to Wood Lane. If used across the site it is considered that the nitrogen released from the green waste and fertiliser will be to the detriment of the existing species-rich grassland. Any areas where the soil is to be mechanically worked prior to seed planting must be checked for existing grass snake hibernaculum by a qualified ecologist.

The methodology above has been agreed by the applicant and is considered acceptable

10. Concrete Base: An area of the concrete base should be left bare and not covered with 250 mm of topsoil. This will increase the mix of habitats, providing warm bare spaces for grass snakes.

The applicant has agreed to leave the area fenced off for Japanese Knotweed within the southern section of the concrete bare and this is considered acceptable.

11. The bund south of the developed area: The idea of diverting water into the pond area should improve stability of the water levels in the pond. The quality of the water in the ditch should be monitored regularly. If runoff from gardens or car washing

contaminates the ditch water the ditch should be diverted away from the pond.

The monitoring of water quality will need to be included within the management plan

12. Planting on the mound south of the car park: Bare earth patches should be left on the lower south facing slope to encourage bees and wasps.

This area will not be mown but will be sown with a wildflower mix to reduce the risk of erosion. This will provide habitat for invertebrates and bare areas would be expected to develop with cutting on an annual basis as detailed within the management plan

The approach identified by the applicant is considered acceptable

13. Observation Hides: The observation hides are considered to be invitations to antisocial behaviour

The observational hides have been removed from the scheme and this is considered acceptable

14. S106 Agreement Monies: It is noted that there are two payments included within the s106 agreement; £100,000 for the conversion of the dairy to a visitor centre and £450,000 towards the cost of future maintenance. Is there a time constraint placed on the use of the £450,000 for maintenance of Stanmore Park Extension. Does the £100,000 have to be used just for the dairy or can it be used for the provision of an environmental teaching centre elsewhere in the Borough?

The legal obligation states that the cost of the conversion of the dairy shall not exceed £100,000, it does not indicate that if the cost of the conversion is less than £100,000 the remaining funds shall be transferred to the Council for use elsewhere within the Borough of Harrow. It is also important to recognise that the obligation indicates that the approved works to convert the dairy will need to be implemented prior to the occupation of the dwellings.

A financial contribution of £450,000 will need to be paid to the Council prior to the occupation of any dwelling. This financial contribution is solely required to carry out the provisions of the approved Environmental, Ecological and Landscape Management Plan and maintain the Stanmore Country Park Extension in accordance with that approved plan. There is no time constraint for using this financial contribution.

The following plans were taken into consideration in recommending approval of the details pursuant to paragraphs 5.1, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5 and 7.1 of the ; 5272_205 B, 267_205, 5272_201 F, 5272_SK101 A, 5272_SK102 A, 1726_102, 5272_SK100 B, 5272_203 E, 5272_202 F, 1726_122 A, 267_206, 267_302, 5272_300 A, 267_204, 5272_302 A, 1726_121, 267_204, 5272_204 C, 5272_206 E, 5272_207 A and 5272_SK001 E, Traffic Management and Environmental Protection Plan

2/04

Under Neighbour Notifications **ADD**:

One further representation was received on 4 September 2012 in response to the Committee Agenda.

This representation states:

- We have been well informed that the line of planning needs to be respected along Pinner View and planning would not be granted as it would obstruct the line of sight for Pinner View residents. My discussions with a number of residents along Pinner View identified the loss of view of the hills from their property.
- There is a severe health and safety implication for extending on the site. There is already an overwhelming number of cars at this address, 5-6 cars. When there are visitors the public footpath on the street is regularly blocked and pedestrians have to walk onto the road to avoid this. Allowing the planning through will result in further cars and neglect of the public footpath.
- An additional health and safety consideration, is that this is an acute corner and visibility is already restricted. In the mornings school children walk along Pinner View and because of the nature of this corner, there have been close incidents that I have noticed. Couple this with the additional cars that will be located to this site the view will be blocked and will result in greater risk to the pedestrians and drivers.
- The house has been extensively extended already, with a large out building already in place. How can it be possible for any property to continue adding and building. What was once a green site has now become a concrete site.
- The proposed extension is not in-keeping with the local houses in the vicinity. The houses along Pinner View and Woodberry Avenue have unique character and have been maintained to their traditional design. The proposal would cause an eye sore and would detract from the area.

The representation notes that these issues would have been raised at the Committee Meeting had the respondent been able to attend the meeting.

Under Consultation Responses **ADD**:

The issues noted in the representation received on 4 September 2012 have been raised in previous representations and addressed in the report.

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**ADVANCE WARNING GIVEN OF REQUESTS TO MAKE REPRESENTATIONS ON
PLANNING APPLICATIONS**

Application	Objector	Applicant/Applicant's Representative (who has advised that they would wish to reply)
1/02 – Krishna Avanti Primary School, Camrose Avenue, Edgware	Mr Welby	

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