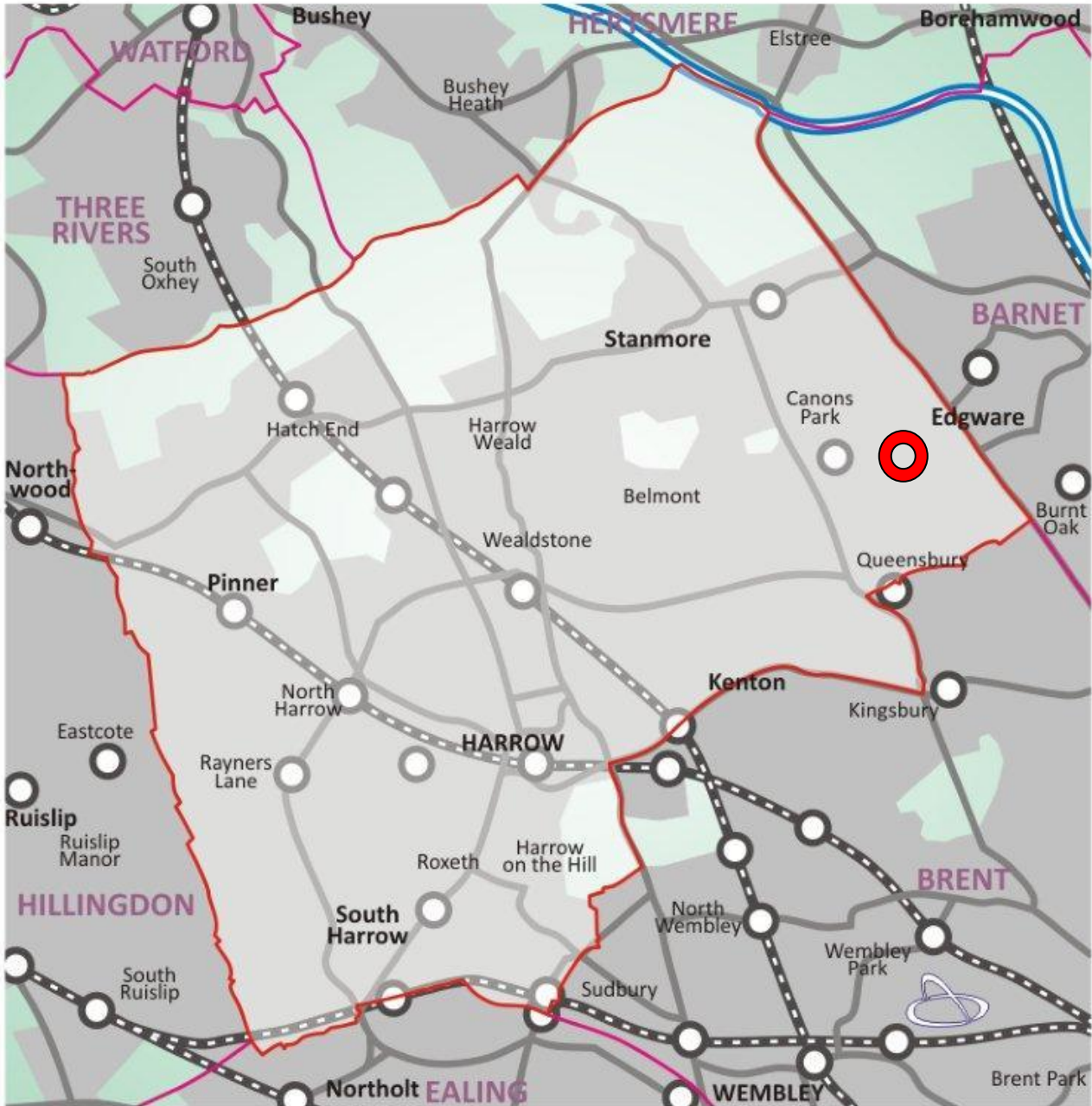
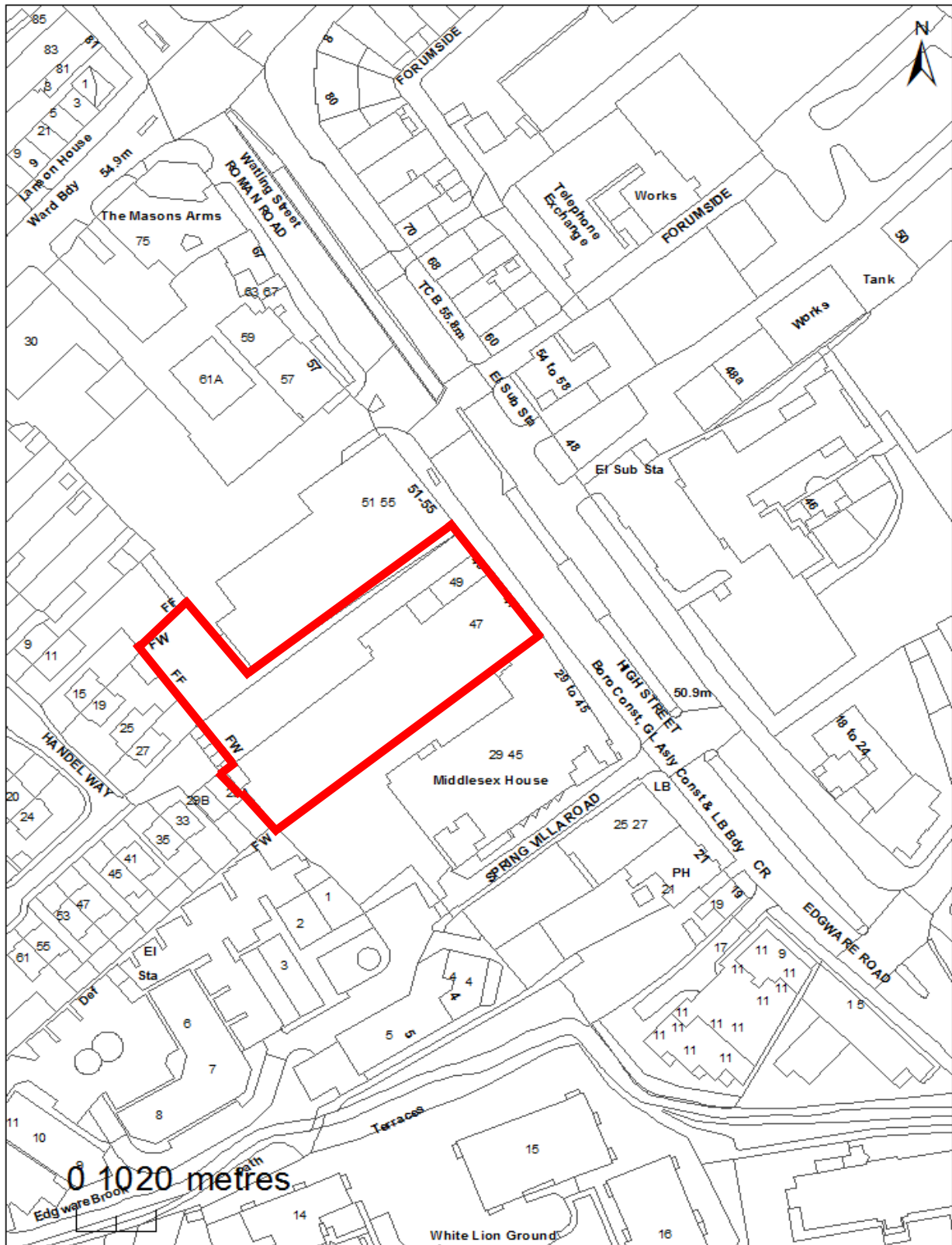


 = application site



47 High Street, Edgware, HA8 7DD	P/4593/15
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47 High Street, Edgware, HA8 7DD **P/4593/15**

PLANNING COMMITTEE

28th September 2016

Application Number: P/4593/15
Validate Date: 08/10/2015
Location: 47 High Street, Edgware
Ward: Edgware
Postcode: HA8 7DD
Applicant: Mr Sundeep Bhamra
Agent: Tew and Smith
Case Officer: Nabeel Kasmani
Expiry Date: Completion of S106 by 28/09/2016

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to enable an extension to the deadline of the completion of the S106 Planning Obligation.

PART CHANGE OF USE FROM STORAGE (USE CLASS B8) TO KITCHEN FACILITIES ANCILLARY TO THE EXISTING BANQUETING AND WEDDING VENUE (SUI GENERIS); EXTERNAL STAIRCASE

RECOMMENDATION

The Planning Committee is asked to:

- 1) Approve and extension to the deadline for the completion of the s.106 Planning Obligation to 28th December 2016, or such extended period as may be agreed in writing by the Divisional Director of Regeneration, Enterprise and Planning.

INFORMATION

The application was reported to the Committee on 29th June 2016 with the following recommendations:

Recommendation A

GRANT permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) The submission of a Travel Plan
- ii) The submission of an Event Management Strategy; and
- iii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement
- iv) Planning Administration Fee: A £500 fee payable to the Local Planning Authority for monitoring of compliance with the agreement.

Recommendation B

That if the Section 106 Agreement is not completed by 28 September 2016, then it is recommended to delegate the decision to REFUSE Planning permission to the Divisional Director of Planning on the grounds that: The proposed development, in the absence of a legal agreement to secure a Travel Plan and Event Management Strategy

would result in an unacceptable and adverse impact on the amenities of the surrounding properties and would prejudice the free flow of traffic with consequent harm to highway safety and residential amenity, contrary to policy 8.2 of the London Plan (2015) and policies DM42 and DM43 of the Harrow Development Management Policies (2013)

Statutory Return Type:	Change of Use
Council Interest:	None
Local CIL requirement:	£13,230

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Officer Assessment

OFFICER REPORT

1.0 SITE DESCRIPTION

1.1 The full site details are set out in the report to Planning Committee on 29th June 2016.

2.0 PROPOSED DETAILS

2.1 The application proposes the change of use of 378m² of existing storage area on the first floor to increase the kitchen and function room area

2.2 The full site details are set out in the report to Planning Committee on 29th June 2016.

3.0 HISTORY

3.1 All relevant planning history is set out in the report to Planning Committee on 29th June 2016

4.0 CONSULTATION

4.1 Not Applicable

5.0 APPRAISAL

5.1 The main issues are;
S106 Planning Obligation

5.2 S106 Planning Obligation

5.2.1 The Planning Committee resolved to grant planning permission on June 29th for the change of use of 378m² of existing (B8) storage area on the first floor to provide a larger kitchen and function room area for the VIP Lounge. The resolution was subject inter alia to the completion of a S106 Planning Obligation and conditions and informatives as detailed in the officer's report to the Committee and in the addendum report.

5.2.2 The S106 Planning Obligation was to be completed within three months of the Committee's resolution, which expires on 28th September 2016. This deadline has not been met and, as such, an extension of the deadline is required. To enable sufficient time for the Planning Obligation clauses to be finalised to both parties' satisfaction and for the applicant to obtain all relevant and necessary signatories to it, it is considered reasonable that a further period for completion of the Planning Obligation, expiring on 28th December 2016, is reasonable.

6.0 CONCLUSION

6.1 An extension to the deadline for the completion of the s.106 Planning Obligation would enable the proposed change of use to proceed once the necessary legal and administrative work has concluded.