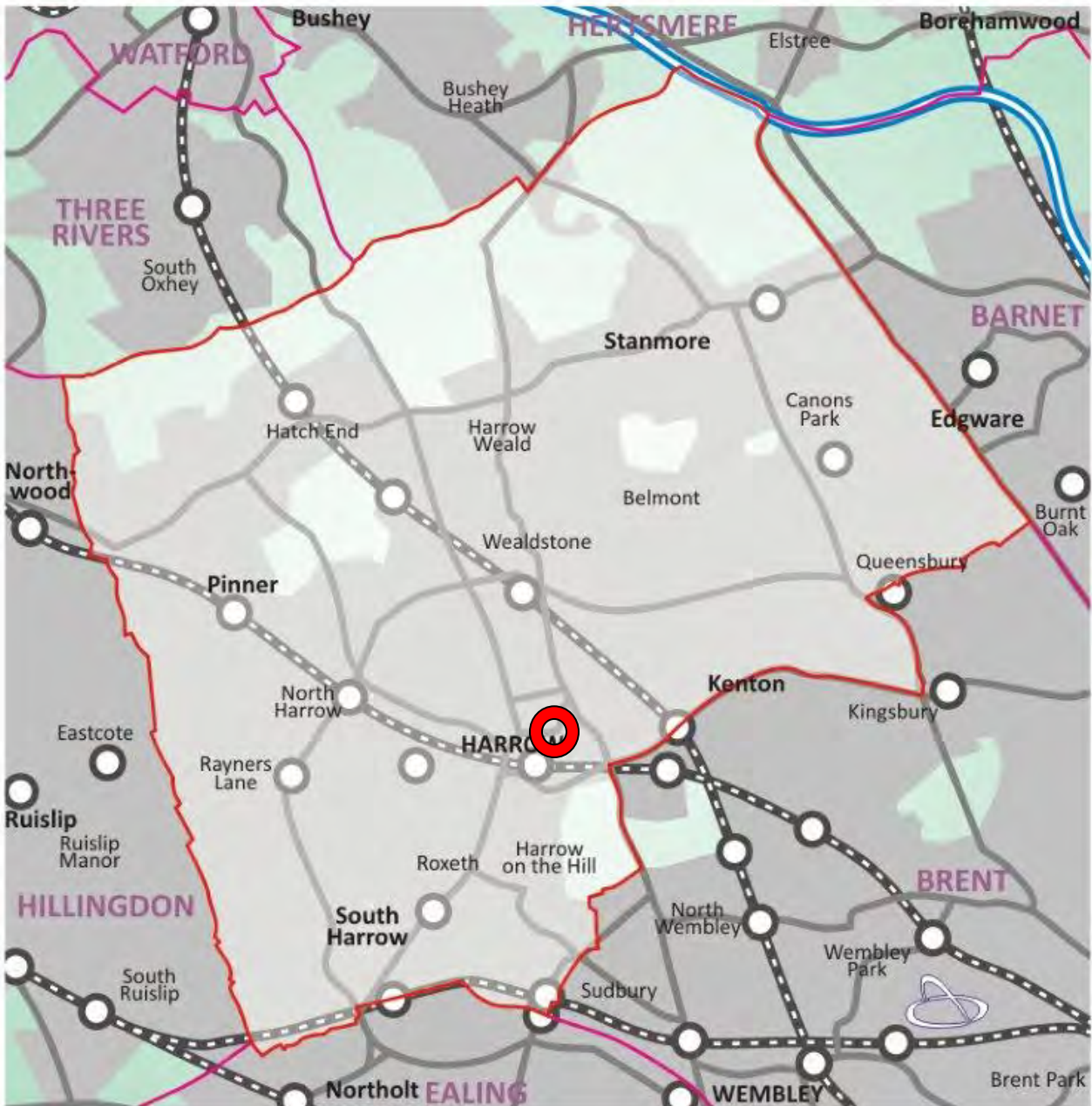
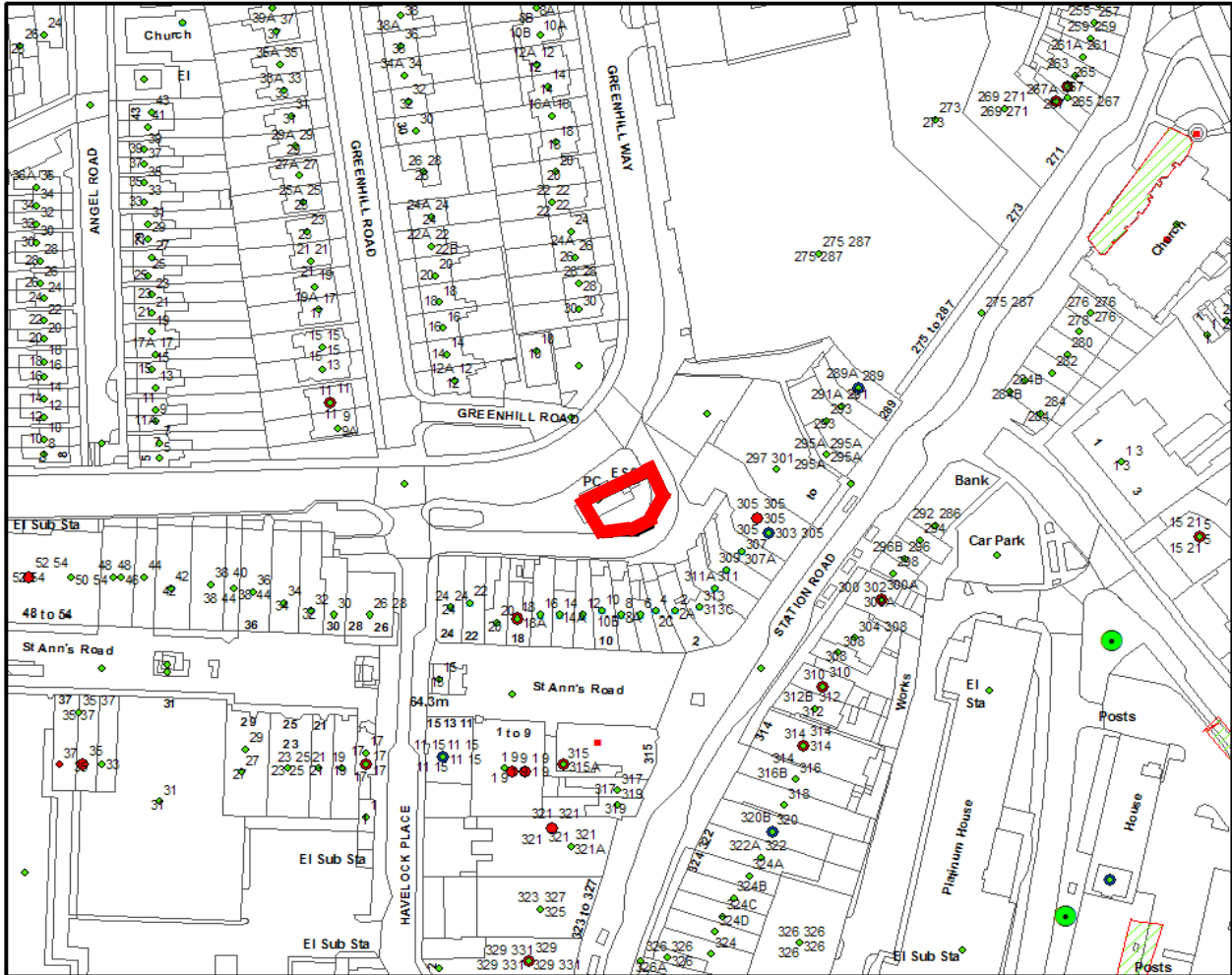


 = application site



Public Conveniences, Greenhill Way, Harrow	P/1484/16
---	------------------



Public Conveniences, Greenhill Way, Harrow **P/1484/16**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

16th November 2016

Application Number: P/1484/16
Validate Date: 21/04/2016
Location: Public Conveniences, Greenhill Way, Harrow
Ward: Greenhill
Postcode: HA1 1LG
Applicant: Mr Najib Kabir
Agent: Autor ltd
Case Officer: Catriona Cooke
Expiry Date: Completion of S106 by 20/09/2016

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to enable an extension to the deadline of the completion of the s. 106 Planning Obligation.

REDEVELOPMENT: FOUR STOREY BUILDING WITH RETAIL USE ON GROUND FLOOR (USE CLASS A1) AND EIGHT FLATS (USE CLASS C3) ON FIRST, SECOND AND THIRD FLOORS; BIN / CYCLE STORE

RECOMMENDATION

The Planning Committee is asked to:

- 1) Approve an extension to the deadline for the completion of the s.106 Planning Obligation to 20th 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 Regeneration and 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 payment of £18,130 for the replacement cost for the cherry tree and maintenance of the retained London Plane Tree.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;
- iii) Car free development
and;
- iv) Planning Administration Fee: Payment of £1,500 administration fee for the monitoring of and compliance with this agreement

Recommendation B

That if the Section 106 Agreement is not completed by 20th 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 the payment of £18,130 for the replacement cost for the cherry tree and maintenance of the retained London Plane Tree, would fail to adequately mitigate the long-term impact of the development on these existing trees contrary to DM 1 and DM22 of the Development Management Policies Local Plan (2013).

Statutory Return Type:	Minor Dwellings
Council Interest:	None
Local CIL requirement:	£44,770 (residential), £9,800 (retail)
GLA CIL requirement:	£17,675

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

PART 1 : OFFICER ASSESSMENT

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 construction of a four-storey building comprising ground floor commercial with three floors of residential accommodation above
- 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 Redevelopment: Four Storey Building with Retail Use on Ground Floor (Use Class A1) and Eight Flats (Use Class C3) on First, Second and Third Floors; Bin / Cycle Store. 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 expired 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 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.

This page has been left intentionally blank