

Meeting:	Development Management Committee
Date:	25 January 2007
Subject:	Section 247 of the Town and Country Planning Act 1990 Stopping Up of the Highway – Rayners Lane Estate, Scott Crescent.
Key Decision: (Executive-side only)	No
Responsible Officer:	Interim Head of Public Realm Infrastructure
Portfolio Holder:	Marilyn Ashton Planning, Development & Enterprise
Exempt:	No
Enclosures:	Appendix 1 – Area to be stopped up

SECTION 1 – SUMMARY AND RECOMMENDATIONS

Resolution No. 811(1) of the D.C. Committee held on 8th December 2004 gave authority to advertise the 'Stopping Up ' order for the above development and resolution No. 811 (3) instructed officers to report the results of the formal advertising of the Stopping up order. This formal consultation has now been undertaken (for a period of 28 days until 30th November 2005). There have been no objections.

RECOMMENDATIONS:

The Committee is recommended to:

Authorise officers to proceed with the making of the order without further reference to the Development Control Committee as there are no objections to the proposed order.

REASON:

To enable the development to be carried out in accordance with the planning permission granted.

SECTION 2 - REPORT

Background

The Rayners Lane housing estate is undergoing a regeneration process by the Warden Housing Association(part of the Home Group Ltd), appointed as the regeneration developer by executive action in May 2001. Outline permission was granted in June 2002 for the overall scheme, subject to a legal agreement, that was signed on 14th October 2002 at which time the planning permission was issued. The scheme amounted to the building of 735 dwellings plus a number of ancillary facilities including a number of changes to the road network. Various sections of public highway have already been stopped up as agreed by the Environment and Transport portfolio holder on 20th December 2002.

The stopping up area subject of this report was omitted by Warden Housing in the original stopping up application and is therefore required to enable the development to be carried out in accordance with the planning permission.

Appendix 1 indicates the area of land to be stopped up. The land beneath this area of highway is within the ownership of Home Group Ltd.

Benefits

The action recommended in this report will allow the completion of the affordable housing scheme which conforms to the Council's policy to secure the provision of affordable housing to meet the needs of the borough's residents.

Cost of Proposals

There are no costs incurred by the Council.

Risks

None.

Implications if recommendations rejected

Completion of development as granted by the planning permission will not be possible.

Consultation

All Ward Councillors are aware of the development proposals and have been sent a copy of this report.

Statutory Requirements

N/A

Financial Implications

The London Local Authorities (charges for stopping up) Regulations 2000 gives authority to the Council to recover the costs of making the order from the applicant and therefore there should be no costs incurred by the Council. Legal officers have obtained adequate monies on account from the applicant prior to the commencement of the process pertaining to the stopping up order.

Legal Implications

Section 247 of the Town and Country Planning Act 1990 gives the power to the London Boroughs to make stopping up orders for highways within their Boroughs if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with the planning permission granted. (Outside London the power is in the hands of the Secretary of State). The responsibility was devolved to the London Boroughs through the Greater London Authority Act 1999.

The process for the making of the order is as follows. Following the Council's resolution, notices of the proposed order are advertised and served on relevant authorities, principally the statutory undertakers, and displayed on site. Following the objection period of 28 days if there have been no objections the Council may make the order.

On making the order the Council must publish in the London gazette and in at least one local newspaper a notice stating that the Order has been made and naming a place where a copy of the Order can be seen at all reasonable hours.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input type="checkbox"/>	Name: Anil Nagpal Date: December 2006
Monitoring Officer	<input type="checkbox"/>	Name: Ade Amisu Date: December 2006

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Background Papers:

- **Appendix 1** – Plan showing area to be stopped up
- **Background papers** – The planning committee report and relevant minute granting planning permission for the development.

Contact: Richard Michalski Development Engineer – Transportation
(phone 020 8424 1539 / email – richard.michalski@harrow.gov.uk)

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	YES
3.	Manifesto Pledge Reference Number	N/A

