

REPORT FOR: Planning Committee

Date of Meeting: 15 June 2011

Subject: **INFORMATION REPORT –
Urgent Non-Executive Decision:
Kingsgate House, 29-39 The
Broadway, Stanmore**

Responsible Officer: Hugh Peart – Director of Legal and
Governance Services

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 3 below.

FOR INFORMATION

Section 2 – Report

On 9 February 2011, the Planning Committee resolved to grant planning permission (reference: P/3018/10) for change of use of the first, second and third floors of Kingsgate House, 29-39 The Broadway, Stanmore from office use to 17 self contained flats, with external alterations, subject to the prior completion of a section 106 agreement by 9 May 2011 relating to a financial contribution to affordable housing provision elsewhere in the Borough.

The section 106 agreement had been drafted, but the applicant had advised that, due to a number of property title/ownership issues they would not be able to complete the agreement by the 9 May deadline. To remedy this situation, a two months extension period to complete the section 106 agreement was sought. Authority was also sought for the Divisional Director to refuse planning permission for the development if the section 106 Agreement was not completed by the extended deadline of 9 July 2011.

As indicated, the section 106 Agreement has been drafted by the Council's legal team and this situation has arisen due to a technical land ownership issue, as the agreement was about to be signed, The policy considerations outlined in the report to Planning Committee on 9 February 2011 remain unchanged.

The matter could not be reported to the next meeting of the Planning Committee, as this was on 18 May 2011, beyond the then current deadline for completion. If the timescale was not extended, the application would have to be refused and the applicant would have to re-apply for planning permission for the same development, resulting in unnecessary expense to the Council in dealing with a revised application that would not attract a fee

Section 3 – Further Information

ACTION SOUGHT

1. Extension of the time period allowed by the Planning Committee on 9 February 2011 for completion of a section 106 Agreement relating to Kingsgate House, 29-39 The Broadway, Stanmore from 9 May 2011 to 9 July 2011;
2. Delegation of authority to the Divisional Director to refuse planning permission for the proposed development if the section 106 Agreement was not completed by 9 July 2011.

Date of Request for Action:

6 May 2011

Reason for urgency:

The resolution of the Planning Committee was that the section 106 Agreement was to be completed by 9 May 2011, otherwise the application was to be refused. The next Planning Committee was not until 18 May 2011 and it was therefore not possible to obtain the approval of the Committee before expiry of the timescale.

Decision: Officer recommendation agreed.

Section 4 – Financial Implications

None

Section 5 – Corporate Priorities

The proposal would be in line with the corporate objective of United and involved communities: A Council that listens and leads.

Name: Kanta Hirani	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 1 June 2011		

Section 6 - Contact Details and Background Papers

Contact: Miriam Wearing, Senior Democratic Services Officer, 020 8424 1542

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