



PLANNING COMMITTEE

WEDNESDAY 13 MAY 2009

SUPPLEMENTAL COMMITTEE AGENDA

AGENDA - PART I

19. Stanmore College, Elm Park, Stanmore - Section 106 Agreement:
(Pages 1 - 4)
Report of the Head of Planning.

Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda item has been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
19. Stanmore College, Elm Park, Stanmore – Section 106 Agreement	Members are requested to consider this item, as a matter of urgency. The Learning and Skills Council [LSC] is currently evaluating and prioritising its development projects throughout the UK and will be meeting to discuss the projects on 3rd June 2009. In order that the Stanmore College redevelopment project can demonstrate that it is achievable within the LSC's restrictive timescales, they must be able to demonstrate at this meeting that they have secured a resolution to grant with the Heads of Terms as requested. This would assist with the project being brought forward for development at its earliest from a funding perspective.

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Meeting:	Planning Committee
Date:	13 th May 2009
Subject:	Stanmore College, Elm Park, Stanmore – Section 106 Agreement
Responsible Officer:	Andy Parsons, Head of Planning
Portfolio Holder:	Councillor Marilyn Ashton – Portfolio Holder for Planning, Development and Enterprise
Exempt:	No
Enclosures:	None

Section 1 – Summary and Recommendations

This report sets out the request from Atisreal [Agent] to delete the fourth section 106 Heads of Terms set out in Item 1/02 of the Addendum to the Strategic Planning Committee meeting dated 10th September 2008, which states,

‘Development to be used only by Stanmore College students and staff.’

Recommendations:

The Committee is requested to:

1. Agree deletion of the fourth section 106 Heads of Terms which states *‘Development to be used only by Stanmore College students and staff.’*
2. Extend the time to complete the section 106 Agreement by three months from 13th May 2009.

Reason: To ensure all users can benefit from the development and to ensure adequate time for the completion of the section 106 Agreement.

Section 2 – Report

The Strategic Planning Committee resolved to grant outline planning permission on 10th September 2008 for *'Redevelopment to provide new two to four storey building along with indoor and outdoor sports and recreational facilities, internal roads and footpaths, access and parking, and ancillary facilities'* subject to completion of a section 106 Agreement.

The section106 Agreement was to cover the submission of a Travel Plan and the funding of parking surveys and the cost of any associated increase in the hours of operation of the Controlled Parking Zone. The s.106 Agreement was to be completed within three months from the date the committee resolved to grant outline planning permission [10th September 2008]. The time limit for completion of the s.106 Agreement has expired and an extension of time is required for completion.

The agent has requested the removal of the fourth Head of Term for the section 106 Agreement, which restricts the use of the development to staff and students of the College. This restriction was added at the request of the Planning Committee.

The removal of the clause would offer wider benefits to the community, which would be reduced if the user restriction remained. The College has not been designed and will not be built to support large scale uses that are unrelated to the College; however, small scale use of the College, e.g. local drama, local residents' association meetings and art clubs or other small community groups, all of which are non-profit organisations could use the facility.

The College is unable to identify all such possible interest at this time; therefore, a named list of preferred users would not be a practical alternative. A solution to this, however, in the interest of the authority, would be to replace the clause with one which does not restrict the type of user and concurrently would ensure all such activities are ancillary to the main use and are non-profit generating. This would allow a wider user to activities at the College whilst maintaining a form of control over the development.

A school is a community facility and should be encouraged to be used as such. To ensure the wider community is able to benefit from the development and for such activities to be ancillary and non-profit generating, the Planning Committee is requested to agree the recommendations above.

Financial Implications

There are no costs to the Council as the applicant will bear the cost of completing the section.106 Agreement.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

No risks.

Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 7 th May 2009		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 11 th May 2009		

Section 4 - Contact Details and Background Papers

Contact: Stanley Lau, Planner – Major Team, Tel: 020 8736 6136

Background Papers: None

If appropriate, does the report include the following considerations?

1.	Consultation	N/A
2.	Corporate Priorities	N/A

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