

# **Planning Committee**

## **ADDENDUM**

**DATE:                      Wednesday 29 May 2013**

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**HARROW COUNCIL**

**ADDENDUM**

**PLANNING COMMITTEE**

**DATE : 29<sup>th</sup> May 2013**

1/01 & 1/02	<p>This item has been withdrawn from the agenda, so that the Council can undertake a further period of consultation with stakeholders and local residents, following the receipt of new information that has been received from the applicant. The application will be reported to a future committee for determination.</p>
2/05	<p><u>Addendum Item 1:</u>  <b>REPLACE</b> Condition 2 listed within the committee report with the following wording;</p> <p>The development hereby permitted shall only be open to customers within the following hours:          0700 and 0000hrs on Mondays to Sundays and Bank Holidays;  <b>REASON:</b> To safeguard the amenity of neighbouring occupiers, thereby according with saved policy D5 of the Harrow Unitary Development Plan 2004</p> <p><u>Analysis</u>          The variation to Condition 2 would allow the unit to be open from 0700hrs rather than the previously stated 0800hrs. The applicant has stated that a potential occupier for the units may wish to serve breakfasts, and as such would require an earlier opening time to enable this use to function.</p> <p>It is considered that the location of the premise and the absence of any adjoining residential properties, the slightly earlier opening hours would not lead to any loss of amenity to neighbouring units or properties through an increase in noise and disturbance.</p>
2/06	<p><u>Addendum Item 1:</u>  <b>REPLACE</b> Condition 2 listed within the committee report with the following wording;</p> <p>The use hereby permitted shall not be open to students outside of the following times without the prior written permission of the Local Planning Authority: -</p> <ul style="list-style-type: none"> <li>a) 08.30 to 22.30 hours, Monday to Friday,</li> <li>b) 08.30 to 20.30 hours on Saturdays.</li> <li>c) 08.30 to 18.00 hours Sundays and Bank Holidays.</li> </ul> <p><b>REASON:</b> To safeguard the character of the area, the amenities of neighbouring properties and ensure the proper functioning of the D1 use within the subject building, in accordance with saved policies D4 and EP25 of the Harrow Unitary Development Plan 2004.</p> <p><u>Analysis</u></p>

The variation to the hours for Saturday only allows the D1 use to be open from 8.30 to 20.30 rather than the previous 08.30 to 18.00hrs. The variation to the closing time allows students to be on site until 20.30 on Saturdays and have access to learning facilities. This would be outside of teaching hours so therefore is considered to not result in large quantities of students arriving at one time. Rather, there would be an informal entry and exit of the building at this time for students wishing to access the learning facilities.

Addendum Item 2:

**ADD** the following as Condition 7.

The use hereby permitted shall not be open to teachers/staff outside of the following times without the prior written permission of the Local Planning Authority: -

- a) 08.30 to 23.00 hours, Monday to Friday,
- b) 08.30 to 21.00 hours on Saturdays.
- c) 08.30 to 18.30 hours Sundays and Bank Holidays.

REASON: To safeguard the character of the area, the amenities of neighbouring properties and ensure the proper functioning of the D1 use within the subject building, in accordance with saved policies D4 and EP25 of the Harrow Unitary Development Plan 2004

Analysis

The addition of Condition 7 coincides with the amended Condition 4 above. The inclusion of Condition 7 refers specifically to the time in which teachers and staff are permitted to be on site. The extra half hour provided at the end of each day allows teachers and staff to ensure that the facilities are secure once the students have vacated the building. It is considered that the extra half hour provided would not unacceptably harm the character of the area or the amenities of neighbouring properties, and there would be significantly less teachers/staff onsite at anyone time.

Addendum Item 3:

**REPLACE** Condition 4 with the following wording;

The use hereby permitted shall be limited to a maximum of 150 students on the premises at any one time.

REASON; To safeguard the character of the area, the amenities of neighbouring properties and ensure the proper functioning of the D1 use within the subject building, in accordance with saved policies D4 and EP25 of the Harrow Unitary Development Plan 2004.

Analysis

The variation to the wording of Condition 4 to provide a maximum total of 150 students on the premise at one time would not materially alter the intent of the previous condition. However, given a maximum figure, which is still the same as the previous Condition 4, would enable the condition to be more easily enforceable. Furthermore, this would provide greater clarity to the users of the premises. It is considered that the rewording of Condition 4 would continue to safeguard the character of the area, amenities of neighbouring properties whilst ensuring the proper functioning of the D1 use.

Addendum Item 4:

**REPLACE** Condition 5 with the following wording;

	<p>The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification) without the prior written approval of the Local Planning Authority.</p> <p>REASON: To safeguard the amenity of neighbouring residents and the character of the locality, and in the interests of highway safety, as required by policy 2.15 of The London Plan and saved policies EM16, D4, T6 and EP25 of the Harrow Unitary Development Plan (2004).</p> <p><u>Analysis</u> The variation to the wording of Condition 5 is to accurately reflect the approved use of the premises as a D1 use, rather than the previously mentioned D2 use which is not what permission is being granted for. The variation to the wording to reflect the approved use would continue to safeguard the amenity of neighbouring residents, the character of the locality and highway safety.</p>
2/07	<p>On Page 90, under the section Consultations add:</p> <p><u>Environmental Health</u> I am satisfied with the conclusions of the report i.e. that contaminated land risk is low and therefore contaminated land remediation is not required.</p>
2/09	<p>On Page 137, under the section Conditions add:</p> <p><b>AMEND</b> Condition 5 to: 5 The maximum number of persons in the premises including children and staff shall not exceed 75 at anytime. REASON: To ensure that the use of the site is not over-intensive and to permit an assessment of patron / staff numbers in the future in the light of the circumstances then prevailing as a measure to ensure that disturbance /disruption or noise to the neighbouring residential properties are kept to a minimum in order to comply with saved polices D4 and EP25 of the Harrow Unitary Development Plan (2004).</p>
2/10	<p><u>Addendum Item 1:</u> <b>AMEND</b> paragraph 2 under the heading Section 1 Provision of Health Care and Social Services, Character and Appearance of the Area, and Residential Amenity, on page 147 of the committee documents to read;</p> <p>It is worth noting that across London there is a shortage of quality residential care homes for children, and across the borough of Harrow they are limited in number and capacity. Furthermore, as a childcare provider, the applicant will be required to registered with the relevant statutory bodies.</p> <p><u>Analysis</u> To remove a typographical error from '<i>It is worth nothing that across London....</i>' To what is substituted in above.</p> <p><u>Addendum Item 2:</u> <b>SUBSTITUTE</b> the wording of Condition 2 with the following. The maximum number of residents (including both residents and carers) living on</p>

	<p>the premises [for the C2 Residential Care Use] shall not exceed 8 persons at any time.</p> <p>REASON: To ensure that the use of the site is not over-intensive and to ensure that disturbance/disruption or noise to the neighbouring residential properties are kept to a minimum in order to comply with saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).</p> <p><u>Analysis</u></p> <p>The amended condition to the total number of residents living on the site, including both residents and careers, would ensure that the property does not become over-intensive. It is considered that should there be more than the 8 persons on site in relation to the C2 use, it may lead to harm to amenities of neighbouring occupiers through noise and disturbance. Any increase in numbers above the 8 persons specified shall be subject to further consideration by the Local Planning Authority.</p> <p><u>Addendum Item 3:y</u></p> <p><b>ADD</b> the following as Condition 5;</p> <p>The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification) without the prior written approval of the Local Planning Authority.</p> <p>REASON: To safeguard the amenity of neighbouring residents and the character of the locality with saved policies D4 and D5 of the Harrow Unitary Development Plan 2004</p> <p><u>Analysis</u></p> <p>It is considered that any change out of the C2 use class may lead to an increase in noise and disturbance, whereby potentially harming the amenities of neighbouring occupiers. Any change from the C2 use class shall be assessed by the Local Planning Authority to enable consideration of such a change on neighbouring occupiers.</p> <p>location of the premise and the absence of any adjoining residential properties, the slightly earlier opening hours would not lead to any loss of amenity to neighbouring units or properties through an increase in noise and disturbance.</p>
3/01	<p>Notification from the applicant's agent has been received that the applicant wishes to "withdraw" the application. The application is therefore withdrawn from the Planning Committee meeting. The application is registered as "Withdrawn" and no further action on the application is made by the Local Planning Authority.</p>

**ADVANCE WARNING GIVEN OF REQUESTS TO MAKE REPRESENTATIONS ON  
PLANNING APPLICATIONS**

Application	Objector	Applicant/Applicant's Representative (who has advised that they would wish to reply)
2/01 Land Rear of 350 – 352 Eastcote Lane, South Harrow	Linda Lombard	Derek Bromley

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