

Planning Committee

ADDENDUM

DATE: Monday 23 September 2013

HARROW COUNCIL

ADDENDUM

PLANNING COMMITTEE

DATE : 23 September 2013

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| 1/01 | <p>Addendum Item 1: Substitute the Heads of terms under Part 2 of Recommendation A with the following revised Heads of terms.</p> <p>Enabling Development To ensure that the development and disposal of the residential developments is tied to undertaking the necessary works to both the Grade II Listed Farm House and Former dairy courtyard to ensure their future security.</p> <p>Affordable Housing To provide a re-appraisal of the end housing and land values of the development at the occupation of 80% of the residential units permitted. In the event that any of the units have demonstrated sales higher than those initially appraised, 50% of the surplus residual is to be paid to the Council as a contribution toward the provision of Affordable Housing within the Kenton Area.</p> <p>Education Off site contribution (£44,244) to Education provision in the Borough commensurate with the child yield of the development.</p> <p>Health A contribution (£35,028) towards local healthcare facilities.</p> <p>Sports and Leisure An off-site contribution (£16,800) to sports and leisure facility provision within the Borough based on person yield of the development.</p> <p>Children’s Play Space Contribution An off site contribution of (£20,893) to be used towards the improvement of parks and children’s play facilities within the vicinity of the development</p> <p>Training & Employment A contribution of £24,500 (based upon submitted viability appraisal build cost) and 1 local trainee (ideally an apprentice) per £1m of construction cost</p> <p>Access and Maintenance of Publicly Accessible Open Space The submission of a long term management strategy for the publicly accessible open spaces on the Land, including funding arrangements, to be agreed in writing.</p> |
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The submission of a strategy to permit the public use of and access to the open space

A contribution of £50,000 (to be held in an escrow account and drawn down by the site management company for the Public Open Space and landscape maintenance works on the Land

Monitoring and Compliance

Payment of the Councils monitoring costs

Addendum Item 2:

The Community Infrastructure Levy (CIL) amount should read 2,059.8sqm rather than the 2,588sqm as detailed on pages 3, 35, 46 of the committee report. As such the CIL amount payable should be £72,093.00.

Addendum Item 3:

Insert the following informative as into the informative section on Page 46 of the Committee Report.

Harrow has proposed a CIL which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It is anticipated (subject to Council adoption) that it will be charged from the 1st October 2013.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

Please be advised that approval of this application by PINS on appeal following any refusal by Harrow Council after 1st October 2013 will attract a liability payment of £226,578.00 (based on new additional floor area of 2,059.8sqm, which incorporates residential use).

Addendum Item 4:

With reference to comments within the text of the report (page 27) regarding the provision of on-site children's play facilities, Members are advised that this will now be secured by way of a financial contribution. This head of term is noted above under addendum No. 1.

Furthermore, Condition 6 shall be amended to remove the requirement to provide childrens play space. Condition 6 should now read as follows;

6 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence until a revised plan regarding hard landscaping

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| | <p>has been submitted to, and approved in writing by, the local planning authority: Details shall include but not be limited to;</p> <p>a: boundary treatment (between the dwellings and the site boundary)</p> <p>b: new build forecourt treatment (Which shall be permeable)</p> <p>c: cobbles proposed within the courtyard of the Grade II Listed Buildings</p> <p>d: internal highway lighting and lighting to publicly accessible open space</p> <p>e: Location, scale and design of any public furniture to be within the publicly accessible local open space.</p> <p>REASON: To safeguard the appearance and character of the area, to enhance the appearance of the development, and to ensure no unacceptable harm to neighbouring occupiers, thereby according with policy 7.4.B of The London Plan 2011, policy CS1.B of the Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Local Policies Plan 2013.</p> <p><u>Addendum Item 5:</u></p> <p>A further objection was received on the 19th September 2013 from an adjoining neighbour. The content of the objection is summarised as below.</p> <ul style="list-style-type: none"> • Loss of a view to the rear of the property. • Loss of light and shadowing as a result of the new build dwellings at the rear boundary. • Loss of privacy • Increase in noise from vehicle noise as a result of the proximity of the service road to adjoining neighbours. • Reduction in air quality. • Vehicles movements generated from the development would exacerbate the congestion already suffered on Kenton Lane. • Highway safety for vehicles leaving the site. <p>The comments and matters raised within this objection are covered within the relevant appraisal sections of the committee report.</p> |
| 2/01 | This application has been deferred from this meeting for further discussions with applicant and agent on a revised proposal and subsequent re-consultations with neighbouring residents on any revised proposal. |
| 2/02 | This application has been deferred from this meeting for further discussions with applicant and agent on a revised proposal and subsequent re-consultations with neighbouring residents on any revised proposal. |
| 2/04 | <p>Under Information section please update as follows:</p> <p>Council Interest: None</p> <p>Gross Floorspace: 699.82sqm</p> <p>Net additional Floorspace: 414.82sqm</p> <p>GLA Community Infrastructure Levy (CIL) Contribution (provisional): £14.512.70</p> <p>Harrow CIL (provisional): Nil prior to decision being made by 1st October 2013,</p> |

£45,630.20 after 1st October 2013

Update Informative No.7 to following:

INFORMATIVE:

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £14,518.70 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £14,518.70 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 414.82 sqm

You are advised to visit the planningportal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/ci>

Add following Informative No.8:

INFORMATIVE

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

3/01

Consultations

Summary of Responses

- Additional response was received from P Cooper on 3rd September, 2013 which states:

‘The Magistrates Court is a building that should be preserved. This is why it was given listed status. I was dismayed to hear that original features have been destroyed during the current renovations. I believe that every effort should be made to ensure these features are re-instated to maintain the character of the building.

The building was given Grade 2 Listed status for a reason and should be preserved’.

- A petition was submitted by the agent for the application signed by 226 members of the public to the Planning Committee on 16th September 2013 with covering letter stating:

‘The Jaspar Foundation (registered charity number 1127243) has been running social activities at rooms hired within Harrow Leisure Centre since 2009. In 2012 the

Jaspar Foundation purchased the former Harrow Magistrates Court Building in order to create a more permanent and flexible site for the activities of the Jaspar Foundation in supporting the local community.

The building is Grade II listed and, as such, the Jaspar Foundation has applied to the London Borough of Harrow for listed building consent for alterations to the building. These changes are designed to enhance the building's use for the Foundation's activities whilst retaining as much of the building's historic significance as possible for the benefit and enjoyment of future generations.

The petition had the following heading:

'We, the members of the Harrow community, fully support the works of the Jaspar Foundation and the alterations proposed by the Jaspar Foundation to enable the former Harrow Magistrates Court building to be used as a day centre for the local community'.

Consultation Responses

Consultation responses' concern over loss of historic fabric and character are addressed in the body of the report.

The Rosslyn Crescent Management Company states it is not understood why the Council did not monitor the work whilst it was happening. However, the Council was unaware that works requiring Listed Building Consent were being undertaken. Also, guidance had been provided to the applicants as to the requirement for Listed Building Consent for any works which affect the special character of this Listed Building.

The petition in support of the proposal is noted. However:

- the body of the report explains how the public benefits of the proposal are outweighed by the substantial harm to the special interest of the grade II listed building.
- The report shows that the principle of reuse as a community centre is welcomed and accepted but that more of the building's historic significance could be retained or recreated for the benefit and enjoyment of future generations whilst enabling the reuse of the building as a community centre.
- The report shows that Listed Building Consent was only applied for after works affecting special interest had commenced and largely been completed. It is a criminal offence to conduct works to a Listed Building Consent without an approval for Listed Building Consent for the works.

**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) |
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| 1/01 Kenton Lane Farm, (Braziers Farm), 323 Kenton Lane, Harrow | John Lawes <i>(This is a late application which will require the Committee to suspend Procedure Rule 30.3 in order for him to speak.)</i> | Richard Henley |
| 2/04 103 Waxwell Lane, Pinner | Mr Hart | To be advised |
| 2/05 Westgate Chambers, 8A Elm Park Road, Pinner | Mrs E Hill | Pierre Leon |