

**DELEGATED POWERS REPORT NO.**

**1679**

**SUBJECT: Redevelopment at Grahame Park Estate, NW9, Phase 1B Sub-phase 1 - Stopping up of Highway under Section 247 of the Town and Country Planning Act 1990.**

**Control sheet**

**All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to Governance Service for publishing**

<b>All reports</b>		
1. Governance Service receive draft report	Name of GSO Date	Chidilim Agada 14-May-2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Chidilim Agada 23-May-2012
3. Finance clearance obtained ( <i>report author to complete</i> )	Name of Fin. officer Date	Jayne Fitzgerald 29-May-2012
4. Staff and other resources issues clearance obtained ( <i>report author to complete</i> )	Name of Res. officer Date	N/A
5. Strategic Procurement clearance obtained ( <i>report author to complete</i> )	Name of SPO Date	N/A
6. Legal clearance obtained from ( <i>report author to complete</i> )	Name of Legal officer Date	Tobenna Erojikwe 17-May-2012
7. Policy & Partnerships clearance obtained ( <i>report author to complete</i> )	Name of P&P officer Date	Andrew Nathan 14-May-2012
8. Equalities & Diversity clearance obtained ( <i>report author to complete</i> )	Name of officer Date	Andrew Nathan 14-May-2012
9. The above process has been checked and verified by Director, Head of Service or Deputy ( <i>report author to complete</i> )	Name Date	Pam Wharfe 06-Jun-2012
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Andrew Charlwood 06-Jun-2012
11. Report published by Governance Service to website	Name of GSO Date	Andrew Charlwood 08-Jun-2012
<b>Officer reports:</b>		
12. Head of Service informed report is published and can be implemented.	Name of GSO Date	Andrew Charlwood 08-Jun-2012
<b>Cabinet Member reports:</b>		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to COSC members & copied to Cabinet & Head of Service	Name of GSO Date	

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (COUNCIL FUNCTION)**

**Subject** **Redevelopment at Grahame Park Estate, NW9, Phase 1B Sub-phase 1 - Stopping up of Highway under Section 247 of the Town and Country Planning Act 1990**

**Officer taking decision** Interim Director of Environment, Planning & Regeneration

**Date of decision** 6 June 2012

<b>Summary</b>	To seek authorisation to stop up highway land within the boundaries of phase 1b of the redevelopment of Grahame Park Estate, NW9
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**Officer Contributors** Andrew Etiang, Engineer – Traffic & Development Section  
Gangan Pillai, Traffic and Development Manager -Traffic & Development Section

**Status (public or exempt)** Public

**Wards affected** Colindale Ward

**Enclosures** Drawing no. 10720-1153-P2  
Schedule

**Reason for exemption from call-in (if appropriate)** Not applicable

Contact for further information: Andrew Etiang or Gangan Pillai on 020 8359 7590 / 3044

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## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Planning permission ref W01731/JS/04 granted 17 January 2007. The Order is being made pursuant to the planning permission.
- 1.2 Delegated Powers Report No 1538 - "Redevelopment at Grahame Park Estate, NW9, Phase 1B Sub-phase 1 - Stopping up of Highway under Section 247 of the Town and Country Planning Act 1990"

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 The corporate plan 2012/13 defines the Council's vision (under the priority successful London Suburb) in delivering sustainable growth to ensure Barnet continues to be successful and prosperous place where people want to live and work. The redevelopment at phase 1b subphase 1 of the Grahame park regeneration scheme complies with the Council's vision for a sustainable growth and ensures compliance with strategic and local policies. Through effective management and design, this regeneration programme will support and deliver housing growth in a sustainable way as well as contribute in creating the conditions for a successful economy.
- 2.2 The scheme accords with the requirements of outline planning application reference W01731JS/04 dated 17 January 2007 and will provide high quality residential development in the next substantive phase of work in the regeneration of the Grahame Park Estate.

## **3. RISK MANAGEMENT ISSUES**

- 3.1 It is not considered that the issues involved in the report will raise significant levels of public concern or give rise to policy issues.

## **4. EQUALITIES AND DIVERSITY ISSUES**

- 4.1 The purpose of the stopping up is to extinguish the public right of way from existing carriageways, footpaths and other highways, currently situated within the Grahame Park Estate, Phase 1b redevelopment and as identified on attached drawing no. 10720/1153 Rev P2.
- 4.2 The proposed development aims to offer better living conditions for the residents and to promote safety, accessibility and mobility to all residents and people visiting the area, including people with special needs such as wheelchair users. The construction of the new road and pavements will promote safety and encourage greater participation of all residents in public life. This in turn will enhance and support the Borough's reputation as a good place to live and promote equality.

## **5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 5.1 The Developer for the scheme, Choices for Grahame Park Limited, will meet all the Council's costs in processing the S247 stopping up order, including any legal or advertising costs.

## **6. LEGAL ISSUES**

- 6.1 Section 247 of the Town and Country Planning Act 1990 (TCPA 1990) empowers the Council to authorise, by order, the stopping up or diversion of any Highway within its area, or by agreement, within the area of another London Borough. In making the order the Council as local Highway Authority should follow the procedure set out in Section 252 of TCPA 1990.

## **7. CONSTITUTIONAL POWERS**

- 7.1 Constitution, Part 3, Responsibilities for Functions, paragraph 6.1 states that Chief Officers can take decisions concerned where it is in respect of operational matters within the Chief Officers sphere of managerial or professional responsibility and is not significant in terms of budget or policy.

## **8. BACKGROUND INFORMATION**

- 8.1 The developer, Choices for Grahame Park Limited applied to the Council for Planning Permission under reference no. W01731/JS/04. Outline planning consent was granted on 17 January 2007.
- 8.2 This report covers additional areas identified by the Developer for stopping up to those covered under Delegated Powers Report No 1538 and in relation with the redevelopment of Grahame Park Estate, phase 1b subphase 1.
- 8.3 The attached drawing no. 10720/1153 Rev P2 illustrates the extent of the highway considered for stopping up and its location in relation with the redevelopment of the Grahame Park Estate, Phase 1B sub phase 1. The areas to be stopped up are clearly identified in the attached plan and hatched with thick black diagonal lines. All existing carriageways and footpaths including parking bays and other highways, as illustrated on drawing no. 10720/1153 Rev P2 need to be stopped up in order to extinguish the public right of way over these areas and thereby facilitate the implementation of the Planning Permission for the scheme. The Developer cannot discharge its planning consent unless the highway identified in the attached plan drawing no. 10720/1153 Rev P2, is first stopped up.
- 8.4 The Developer will maintain access to all properties unaffected by the proposed redevelopment while construction work takes place. Only highways affected by the redevelopment will be stopped up as part of this order.
- 8.5 The procedure for the stopping up of a public highway under Section 247 TCPA 1990 is set out in Section 252 of the TCPA 1990.

## **9. LIST OF BACKGROUND PAPERS**

- 9.1 Relevant drawings and general correspondence with the developers and other representatives such as consultants, agents etc, are held by the Traffic and Development Section, Environment, Planning & Regeneration, Ref. Grahame Park Regeneration, Phase 1B (Sub Phase 1) - Stopping Up Order.
- 9.2 Any person wishing to inspect the background papers listed above should telephone Andrew Etiang or Gangan Pillai on 020 8359 7590 / 3044.

**10. OFFICER'S DECISION**

**I authorise the following action:**

- 10.1 That the Council make an Order for the Stopping up of highways within the area known as Phase 1B within Stage A of Grahame Park Regeneration Scheme, in Colindale NW9, as per the attached drawing no. 10720 / 1153 Rev P2 (or any minor subsequent revision approved by the Council's Highway department), pursuant to Section 247 of the Town and Country Planning Act 1990.**
- 10.2 In the event that there is no opposition to the Notice of the making of the Order, the Order should be made.**
- 10.3 In the event that the proposal for the making of the Order is opposed, to notify the Mayor of London of the objection and to hold a public inquiry, if appropriate.**
- 10.4 To seek recovery of legal and other fees including advertising costs from the developer / developer's agent.**

**Signed**                                **Pam Wharfe**          

**Interim Director of Environment , Planning & Regeneration**

**Date**                                        **6 June 2012**