

EAST AREA PLANNING SUB-COMMITTEE

13TH July 2011

ADDENDUM TO ASSISTANT DIRECTOR OF PLANNING & DEVELOPMENT MANAGEMENT'S REPORT

Pages 7-11

B/02218/11

Brunswick Park JMI School, Osidge Lane, N14 5DU

Since the completion of the committee report the following consultation responses have been received:

- TRAFFIC AND DEVELOPMENT TEAM (Comments Received on 04/07/2011):

The proposal is for demolition of existing caretaker's house and erection of a children's nursery building of approximately 137 sqm. No changes are proposed to the car parking area or access to site. The school currently employs 25 full time staff and 5 part time. The proposed number of staff is 27 full time staff and 5 part time staff. The school has a valid School Travel Plan to reduce car use on the school run and encourage the use of sustainable forms of transport to the school.

The proposal is not expected to have a detrimental impact on the public highways, and is considered acceptable on highways grounds

The application is recommended for approval on highways grounds.

- STREET LIGHTING TEAM (Comments received on 13/07/2011):
Further details of lighting required.

Since the completion of the committee report the following information has been received:

- Colour sample panel for the proposed modular building (Received 07.07.2011);
- E-mail from Megan Hallet (Barnet Council) confirming that
 - *The colour of the proposed fencing is Green, RAL 6005.*
 - *The wall colour of the proposed demountable building is Goosewing Grey (BS10A05), which is illustrated on the colour chart.*
- Amended Elevation (drawing No. 11-5145-03) and amended Plan Layout (Drawing 11-5145-01) indicating an additional window on 'Elevation C.' This window serves the room labelled 'Store' on the latter drawing.

As the requested colour sample panel for the modular building has been received, Condition 3 (Materials) should be removed from the list of recommended conditions.

As amended plans have been received the following plans should be deleted from Condition 1 (Approved Plans): Drawing No. 11-5145-03 Rev. A and Drawing No. 11-5145-01 Rev. B and replaced with Drawing No. 11-5145-03 Rev. B (amended and received 13/07/2011) and 11-5145-01 Rev. C (amended and received 13/07/2011).

Considering the comments received from the Streetlighting Team, it is recommended that the following condition is attached to any approval:
Details of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the proposed modular building. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

Pages 12-26

B/01766/11

204 Colney Hatch Lane, N10 1ES

Amended plans have been received rectifying a discrepancy on the drawings. The following plans should be deleted from Condition 1 (Approved Plans): TE/NY/03 and TE/NY/04 and replaced with TE/NY/03 (amended and received 12/07/2011) and TE/NY/04 (amended and received 12/07/2011).

Additional plans have been received which show the approved warehouse building on the southern part of the site to which no changes are proposed from the approved scheme.

Plan no's 06/3076/10 B, 06/3076/11 B, 06/3076/13 B, 06/3076/15 C should be added to Condition 1 (Approved Plans).

Pages 36 - 41

F/02055/11

Ground Floor Flat, 77 Leicester Road, N2 9DY

The following should be added to the Material Planning Consideration section of the report:

The proposed rear extension will still maintain adequate amenity garden standards for the occupants of the Ground Floor Flat, which is 5m² pre habitable room, this is in accordance with Council's Unitary Development Plan, policy H18.

Page 42

Lorraine Court, Park Gate

F/02268/11

It should be noted that policy GSD 'Sustainable Development' should be considered in relation to this application.

Pages 54 - 65

F/02399/11

88 Church Lane, N2 0TE

Condition 7 is unnecessary and should be removed because planning permission would be required for additional windows to the self contained unit and B1 (Light Industrial) unit at ground floor level.

Condition 8 is unnecessary and should be removed because it relates to removing permitted development rights for residential dwellinghouses. The application proposes that the ground floor will be converted from A2 (Professional Services) to B1 (Light Industrial) and first floor to be converted into a self contained flat, thus permitted development rights are automatically removed.

Three further letters of objection received, which state the following:

New planning application has been amended to reduce the number of residential units to one. The proposal has not changed in respect of the conversion of the ground floor premises to Light Industrial use, continue to object, on the following grounds:

- This is an inappropriate usage for the local area.
- The proposal lack details regarding the environmental impact of change of use (noise, dust, disturbance, pollutants).
- Noise and disturbance from the changes that may take place.
- The site is too small for the proposed extension.
- The single storey rear extension would cause loss of light to our property.
- There is a shortage of parking for the employees of a manufacturing facility.
- Effect it would have on the traffic and parking as Church Lane is a one way system and parking is a major problem already for us residents.
- The scale and appearance of the proposal and the impact it would have on the surrounding area of neighbouring properties and the over looking and loss of privacy by the proposed extensions.
- The change to B1 (Light Industrial) will undertake the storing of dental teeth, this does not make sense or does this mean it will be a dental supplier or even a dental laboratory, if the intention is for a dental laboratory then this raises very serious concerns resulting in all different aspects drainage plaster going down drains and burning out smells of wax castings, hazardous chemicals oxygen and propane, IS THIS REALLY SUITABLE IN A RESIDENTIAL AREA?

- The intentions of storing teeth may take place initially but could become a dental laboratory in the future.

Those matters are considered to have been covered in the officer's report.

Page 66
44C High Road
F/02378/11

One objection has been received since the time of writing the report. The objections to this application include the scheme being too big for its surroundings and overbearing. Also, harm to the amenity of residents including overlooking.

In response to these comments; the proposal does not involve the property increasing in size and it cannot therefore be argued that it would be overbearing. The addition of the roof lights are also not considered to create any additional significant overlooking, particularly due to the size and orientation, and the distance that the rooflights are in relation to neighbouring properties.

Pages 71-110
Barnet Market
B/03642/10

Amend Recommendation 1 to read as follows:

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

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|---|--|-------------------|
| 1 | Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements; | |
| 2 | All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority; | |
| 3 | Education Facilities (excl. libraries) | £78,346.00 |
| | A contribution towards the provision of Education Facilities in the borough. | |
| 4 | Libraries (financial) | £1,946.00 |
| | A contribution towards Library Facilities and Resources in the borough | |
| 5 | Health | £15,248.00 |
| | A contribution towards Health Facilities and Resources in the borough | |
| 6 | Highways Improvement (local to the site) | £10,000.00 |

A contribution towards local highway improvements within the vicinity of the development.

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|----------|--|-------------------|
| 7 | Requirement to submit Travel Plan | £5,000.00 |
| | Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan. | |
| 8 | Open Spaces (ward level) | £14,000.00 |
| | A contribution towards the improvement of open spaces in High Barnet ward | |
| 9 | Monitoring of the Agreement | £5,477.75 |
| | Contribution towards the Council's costs in monitoring the obligations of the agreement. | |

Amend Condition 1 to read as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans:

WBM-672-1.10, WBM-672-2.00 Rev G, WBM-672-2.01 Rev F, WBM-672-2.20 Rev E, Design Statement dated March 2011, Supporting Planning Statement dated March 2011, Heritage Statement for Barnet Market Redevelopment dated 9 November 2010, Sustainability Statement, Transport Assessment dated April 2005 (date received 9-Mar-2011);

WBM-672-2.10 Rev J (date received 8-Jul-2011)

Reason:

For the avoidance of doubt and in the interests of proper planning.

Amend Condition 2 to read as follows:

This development must be begun within two years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

Amend Condition 5 to read as follows:

Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority and shall ensure that the gradient of the ramp leading to the basement is no greater than 1:10. The

development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

Amend Condition 14 to read as follows:

No loading or unloading shall take place at the Bruce Road entrance of the Market on any Sunday, Bank or Public Holiday or between 8am and 14.00pm or after 16:30pm on any other day unless otherwise agreed in writing by the Local Planning Authority

Reason:

To protect the amenity of neighbouring residents

Amend Condition 23 to read as follows:

Before the development hereby permitted is occupied details of a car park management plan including details of any external control unit for managing traffic flow entering/exiting the basement car park. The car park shall operate in accordance with the details as approved.

Reason:

To prevent obstruction and overcrowding of the car park contrary to sustainability targets and the servicing requirements of the site.

Pages 111-124
65-67 Oakleigh Park South
B/03174/10

Amend informative 5 to read as follows:

The applicant is advised that if bats are found to be present on the site, a European Protected Species (EPS) mitigation licence issued by Natural England may be required prior to any works taking place.

A statement has been received from the agent who is unable to attend the meeting. This will be distributed at the meeting.

Pages 134-167
B/02086/11
Land At Rear Of, 10-20 Holden Road, London, N12 8HT

This application has been withdrawn from the agenda.

Pages 162-167
B/01554/11

35 Sellwood Drive, EN5 2RW

The following condition should be added:

The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

Following the close of the consultation period an email in support of the application has been received from a neighbouring resident.

Consultation response from highways:

The proposed extension of the ground floor flat to a 2 bedroom unit is still accordance with the parking standard as set out in the UDP 2006 which states that for a 2 and 3 bedroom unit a range of 1 to 1.5 parking provision applies. Therefore provision of 1 parking space for a single 2 bedroom unit is still acceptable.

The higher range of parking provision of up to 1.5 spaces per unit in average, would normally apply to larger developments with more one unit.

As the proposed development relates to an extension to 1 unit no objection is raised on highways grounds as the development is not considered to result in undue pressure on parking in the area.

Substitute the "N14290A/04" section of the Relevant Planning History with the following:

N14290A/04 – Two-storey side extension conditionally approved 16/02/2005
Work on implementing this permission began but subsequently ceased as a result of objections from the owner of the first floor flat. The first floor element of the extension would have abutted the first floor flank wall of No. 33 Sellwood Drive, the first floor flat which did not form part of the extension and is in separate ownership to the ground floor flat (the application property). The shell of the ground floor element of the approved extension has been constructed, no further work has been carried out.

Pages 168 - 176

F/01452/11

70-72 Ballards Lane, N3 2BU

Condition 2 should be removed and replaced with a temporary one year consent, in order for the Local Planning Authority to assess the impact of this development on neighbouring occupiers and to ensure that if there are noise

concerns resulting from the proposed use, the proposal can be reassessed. Thus, the condition will be replaced with:

This permission shall be for a period of one year from the date of this decision, after which the use hereby permitted shall be discontinued, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the neighbouring occupiers and to enable the Local Planning Authority to reassess the impact of the development.

Condition 5 should be removed and replaced with:

The premises shall be used for D1 music school (**piano and guitar only**) and 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).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

Condition 9 should be removed and replaced with:

One month after the use hereby approved has commenced, a post noise assessment shall be carried out by a noise consultant to ensure that there is no noise outbreak from the music school when being used at its full capacity and that the mitigation measures are sufficient. This report shall be submitted at the latest two months after the use commences and approved in writing by the Local Planning Authority.

Reason: In the interest to protect the amenities of neighbouring residents.

Condition 10 should be removed and replaced with:

The school shall not be open until a Management Plan and a survey carried out by an acoustic consultant to check that appropriate mitigation measures are in place have been submitted to, and approved in writing by, the Local Planning Authority. Throughout the use of the premises as a music school the measures contained within

the approved Plan and survey shall be strictly adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest to protect the amenities of neighbouring residents.

In relation to the above condition, the following informative will be added:

Informative: The Management Plan shall identify measures including confirmation that the internal doors are to be kept shut when music rooms are in use; the front door to be kept shut and opened only when students are entering or leaving the waiting room; no practising of instruments in the waiting room; fire exit doors to be unobstructed when music school is in use (i.e shutters unlocked); carpet to be installed throughout whole building; ensure hours of use are strictly abided by.

Condition 11 should be removed and replaced with:

Details of an alternative ventilation system shall be submitted to and approved in writing by the Local Planning Authority before the site is first occupied, installed and retained thereafter and following occupation all windows are to be kept shut at the times stated within Condition 6 (Hours of Use).

Reason: In the interest to protect the amenities of neighbouring residents.

This condition has been amended ensure that all the windows are to be kept shut during the operational hours of music school and when lessons are not being taught, the windows can be kept open.

To be included within the Planning Consideration Section:

It should be noted that Condition 4 states that there will only be a maximum of 12 students at the premises at anyone time. 12 students is considered the maximum of number of students that this site can accommodate, without causing an unacceptable intensification of use and general noise and disturbance, as a result of comings and going and the use itself.

Page 177
183-191 Ballards Lane
F/01470/11

The following condition should be added:

Before the building hereby permitted is occupied the proposed windows in the rear elevation facing Wentworth Lodge shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be

permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties.

Objections were raised in relation to potential of increased overlooking and a loss of privacy as a result of the use of the property as a gym. A condition has been placed on the application to ensure these windows are obscure glazed to mitigate these concerns. This is considered to improve the current situation.

Page 193
18 Brent Way
F/01908/11

The number of objections received should read 37.

In response to objections received regarding effect on traffic the proposal does not comprise off street parking to the property. Therefore, there would be no change to the existing on street parking arrangements as a result of the proposal.

Under comments on grounds of objections the report should read:

All further planning related objections are considered to be covered in the above planning appraisal.

Page 198
F/01620/11
Gloucester House, 150 Woodside Lane

On page 198, under Recommendation I, point 3 should be amended as follows:

“3. Open Space - £60,000.00
A contribution towards the improvement of open space”.

The policies in informative 1 should read: GBEnv1, GParking, D2, ENV12, L11, L14, M3, M11, M12, M13, M14 and CS4.

Since the report was published, the Traffic and Development Team have the following additional comments in support of the application on highways grounds:

- The waiting restrictions in Woodside Lane apply as part of the CPZ from Monday –Saturday between 9.00 am to 5.00 pm. Parents can stop to drop off children on the public highway before 9am and after 5pm to pick up as the waiting restrictions as part of the CPZ only apply between the times indicated above.

- The pedestrian access from Swan Lane has been in existence and in use for a long time and therefore it is an established pedestrian route therefore is adequate to cater for the likely use by the parents and children walking through Swan Lane open space.
- London Plan requires a provision of a drop off and pick up area for a nursery which the applicant has provided to meet this requirement. The nature of the operation of a nursery involves drop offs and pick ups over a long period of time for relatively small number of children as there is no fixed start or finish time as you would expect in a formal school setting. Therefore the proposed arrangement for the above nursery is acceptable in highway terms.
- A Planning Condition is placed on the planning application requiring the applicant to agree a travel plan framework. The framework primarily requires the applicant to establish a Travel Plan Champion at the nursery. To discharge the planning condition the Travel Plan Champion then liaises with the Council's Travel Plan Co-ordinator to agree and finalise the details of the Travel Plan in accordance the TfL guidance 'Travel Planning for new development in London, incorporating deliveries and servicing' (2011) and be ATTrBuTE (Assessment criteria used by TfL) compliant.