

DECISIONS OF THE PLANNING AND ENVIRONMENT COMMITTEE

20 SEPTEMBER 2010

COMMITTEE

*Councillor Wendy Prentice (Chairman)
*Councillor John Marshall (Vice-Chairman)

Councillors:

*Maureen Braun	Anita Campbell	*Jack Cohen
*Alison Cornelius	*Claire Farrier	*Hugh Rayner
*Andreas Tambourides	*Jim Tierney	

*denotes Member present
\$denotes absent on Council business

- 1. MINUTES (Item 1):**
RESOLVED – That the decisions of the meeting of the Committee held on 29 July 2010 be approved as a correct record.
- 2. ABSENCE OF MEMBERS (Item 2):**
Apologies for absence were received from Councillor Anita Campbell.
- 3. DECLARATION OF MEMBERS' INTERESTS (Item 3):**
None
- 4. PUBLIC QUESTION TIME (Item 4):**
None.
- 5. ACKNOWLEDGEMENT OF PETITIONS (Item 5):**
The Assistant Director of Planning and Development Management reported the receipt of the following petitions:

Application	Number of Petitioners	Comments
Land at Brookside Walk, Bridge Lane NW4	126	The petition was noted
- 6. MEMBERS' ITEMS (Item 6):**
There were no Members' items.

7. TOWN AND PLANNING COUNTRY ACT (1990) - C/17559/08 - BRENT CROSS CRICKLEWOOD REGENERATION AREA, NORTH WEST LONDON – CHILDS HILL WARD, GOLDERS GREEN WARD, WEST HENDON WARD

(I) PROPOSAL:

Outline planning application for comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 – A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).

Submission of Environmental Statement.

(II) REPORT OF THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT – ITEM 7

The Assistant Director of Planning and Development Management circulated an addendum to his report and tabled letters from Mr David Howard, Chairman of the Federation of Residents Associations in Barnet. Mr John Cox a Brent Resident. Justin Mills, Director of Contour Planning Services. Mr Philip Murphy, Director of Quod Planning and Mr Andrew Lappage, Head of Waste Strategy and Contracts for the North London Waste Authority.

RESOLVED -

- (1) That (having taken properly into account all environmental information received as part of the EIA process and all other material considerations) the Committee resolve that upon finalising the drafting and completion of the Section 106 agreement and draft conditions substantially in accordance with the agreed draft dated 9 September 2010 (which has been placed on the planning register) the Assistant Director of Planning and Development Management be instructed to APPROVE application ref: C/17559/08 under delegated powers and grant planning permission subject to conditions substantially in the form contained in Appendix 1 to this report (with such further detailed amendments as the Assistant Director of Planning and Development Management may consider to be reasonable and necessary in the course of finalising the detailed Section 106 Agreement, including those which address some of the points raised by Bestway as detailed in this report). The S106 agreement is to be signed by all parties and the planning permission issued within three months of the date of the 29 July committee (29 October 2010).

(This recommendation updates and confirms recommendation 1 of the report to Committee on 29th July which replaced recommendation 5 of the 18 & 19 November Planning and Environment Committee which instructed officers to report back to Committee should the Head of Planning and Development Management be unable to issue the permission within six months of the 19

- November Planning and Environment Committee.)
- (2) That members, in the light of the officers' report to this committee addressing the points specifically raised in Bestway's representations, confirm that they have concluded that:
1. in respect of PPS4 and the Guidance Note, the relevant policies of Development Plan are considered to be up to date in the light of the advice contained in this report; and
 2. the revised PPS25: Development and Flood Risk (Revised March 2010) does not contain any changes which alter the conclusions to be drawn in respect of this application;
 3. that the amended draft conditions appended to this report comprehensively address the issues raised on Bestway's behalf; and
 4. that having regard to all of the other issues raised by Bestway on and since 29th July and the advice contained in this report, there has been no other change in material considerations that justifies a different decision from those reached by the Planning and Environment Committee on 18 & 19 November 2009 and 29th July 2010 and that therefore, taking full account of the representations made on behalf of Bestway and the officers' advice in this report, the Committee resolves to grant planning permission for this scheme subject to conditions substantially in the form of the draft attached to this report and subject to completion of the section 106 agreement substantially in the form of the draft dated 9 September 2010 and entered on the planning register (with such minor further amendments to these drafts as the Assistant Director – Planning and Development Management considers appropriate).

8. APPLICATIONS FOR PLANNING PERMISSIONS AND CONSENTS (Report of the Head of Planning and Development Management – Agenda Item 7)

RESOLVED – That the Council's decision on the applications listed below be as indicated, and that the Assistant Director of Planning and Development Management be instructed to convey such decisions to the applicants.

COLINDALE WARD

H/02041/10 Former Colindale Hospital, Colindale Avenue, London NW9 5HG.
Fairview New Homes Ltd
Amendment to a building in the course of construction in accordance with planning permission H/00342/09 comprising the replacement of the approved PCT facility with floorspace on the ground floor for a use within Class A1, A2, A3, B1 or D1 of the 1995 Use Classes Order (as amended) and 12 residential units on first and second floors. Minor alterations to elevations.

The Committee resolved to:

APPROVE the application subject to the following:

Approve subject to the submission of a satisfactory Unilateral Undertaking to secure the following:

1. The obligations listed below to be Index linked and become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
2. A financial contribution of £101,770 towards meeting the needs for healthcare provision arising from development in the Colindale Area Action Plan area.

That upon completion of the agreement, the Assistant Director of Planning and Development Management approve planning application reference H/02041/10

under delegated powers subject to the following conditions:

1. Approved Plans
The development hereby permitted shall be carried out in accordance with the following approved plans: 0607-A-100; 0607-A-600 rev01; 0607-A-700 rev01; FNH347/PSMP.1.
2. Time Limit
This development must be begun within three years from the date of this permission.
3. Hours of use
The ground floor commercial unit hereby permitted as shown on approved plan 0607-A-700 rev.01 shall not be open to customers before 7:30am or after 11pm from Monday to Saturday or before 10am or after 10pm on Sundays, unless otherwise agreed in writing by the Local Planning Authority.
4. Parking
Before the development hereby permitted is occupied, car parking spaces numbered 59, 60 and 61 as shown on Plan FNH347/PSMP.1 shall be provided and allocated to the ground floor commercial unit, and spaces numbered AMB, 57, 58, 62, 63, 64, 65, 66, 67 and 68 shall be provided and allocated to the residential units. The parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved uses.
5. Cycle parking
The residential units hereby approved shall not be occupied until cycle parking facilities have been provided in accordance with details to be submitted and approved in writing by the Local Planning Authority. All of the spaces shall be permanently retained thereafter.
6. Refuse Details
Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided on site in accordance with the approved details before the development is occupied.
7. Hours of Construction
No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.
8. Ventilation and Extraction Equipment Details
Details of any extraction and ventilation equipment for the ground floor commercial premises shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with agreed details before the ground floor use is commenced.
9. Noise
The level of noise emitted from any air conditioning or ventilation plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as

measured from any point 1 metre outside the window of any room of a neighbouring residential property.

10. Noise Report For Site Plant
Before ground floor commercial unit is occupied, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from any ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels. It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before the unit is occupied.
11. Sound Insulation
The development shall be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from any occupying A1, A2, A3, B1 or D1 use as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.
12. Code for Sustainable Homes
The residential flats hereby approved shall achieve a minimum of Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2007) for which the site is registered (or any such national measure of sustainability for house design that replaces that scheme). As soon as practicable, the Final Code Certificate, certifying that Code Level 3 has been achieved for the flats, shall be submitted to and approved in writing by the Local Planning Authority.
13. Environmental Standard for Commercial Unit
The ground floor commercial unit as shown on plan 0607-A-700 rev.01 is required to meet BREEAM Excellent rating (or any such national measure of sustainability for non-residential uses that replaces that scheme). Before the commercial unit is first occupied the developer shall submit certification to demonstrate that the BREEAM Excellent rating has been achieved.
14. Approved Ground Floor Uses
Upon their first occupation, the ground floor commercial unit hereby approved as shown on plan 0607-A-700 rev.01 shall only be occupied for uses falling within Class A1, A2, A3, B1, or D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.
15. Change of Use – Commercial Unit
Following the first occupation and commencement of a use within the ground floor commercial unit hereby approved, any subsequent change to an alternative use specified in condition 14 of this consent shall require the submission of a full planning application to the Local Planning Authority for express planning permission.
16. Deliveries
No deliveries shall be taken at or dispatched from the ground floor commercial premises on any Sunday, Bank or Public Holiday or before 7:30am or after 9pm on any other day.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations

since 2004) and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GSD, G Mixed Use, GBEnv1, GBEnv2, GCS1, ENV13, D1, D2, D7, CS13, M1, M14, H5, IMP1, IMP2.

ii) The proposal is acceptable for the following reason(s): -

The proposed alteration to the approved PCT facility to provide a commercial unit on the ground floor and 12 additional residential flats above would be in accordance with the policies and objectives of the Colindale Area Action Plan. The commercial uses proposed would be appropriate in this location on the edge of the new public piazza and transport interchange at the heart of Colindale. The additional residential flats on the first and second floors reflect the mixed use nature of the approved Colindale Hospital development and compliment the flats already being provided on the fourth and fifth floors of Block A. The proposed amendments would not affect the architectural style or overall external appearance of the approved building.

2. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants. The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

3. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.
5. The applicant is advised that any occupiers of the site would not be able to purchase any type of parking permit, voucher or similar issued within a Controlled Parking Zone (CPZ) in the area that a property address might

otherwise be eligible for as part of the councils ongoing management of the public highway.

6. The applicant is advised that Colindale Avenue is a Traffic Sensitive Roads; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Highways Manager should be consulted in this respect..

9. CHANGE IN FINCHLEY AND GOLDERS GREEN AREA PLANNING SUB-COMMITTEE MEMBERSHIP (Late Item – Report of the Acting Democratic Services Manager)

RESOLVED –

- **That Councillor Andrew McNeil replaces Councillor Alison Moore as a Substitute Member of the Finchley and Golders Green Area Planning Sub-Committee.**

The meeting ended at 8.33pm