

WEST AREA PLANNING SUB-COMMITTEE

13 JUNE 2011

ADDENDUM TO REPORT OF HEAD OF PLANNING

3 Woodstock Road – Page 1

Condition 1 on page 1 should be amended as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - A-WOR10-PP-01 Revision C; A-WOR10-PP-02-EX; A-WOR10-PP-03-PR Revision **G**; A-WOR10-PP-04-PR Revision D; WOR10-PP-10.

Reason:

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

The drawings were amended to include the annotation of 'skylights above' to the second bedroom at basement level within flat 2.

12 Westover Hill – Page 16

Following the reconciliation for the reduced proposals, an original objector has responded to uphold their original objection whilst acknowledging that the amended drawings were an improvement on the originally submitted scheme.

22 Llanvanor Road – Page 37

One additional letter has been received by the Council and raised the following comments:

- Over-subscription of local schools;
- Just fought for the neighbouring building 24 Llanvanor Road being converted back from 7 bed-sits into a single property, as it used to be and we will continue to object every other building being used or converted in any other than it's original design, purpose and local environment.
- The change from a building consisting of 5 flats to a building of 3 flats whilst still extending left and right of the existing building is one we have seen too often as a mere cosmetic modification in order to gain planning permission with the option to convert an existing building into more units at a later stage.
- Parking Concerns;
- Out of character;
- The proposed development would effectively create the largest property in the road;

- The development appears to be a blatant attempt to cram in what is effectively a small block of flats with the external appearance of a single residential unit;
- A lot of construction in the Childs Hill area - local infrastructure is not able to cope with an ever increasing number of people and cars; GP surgeries operate on maximum capacity but have to keep their lists open due to NHS cuts;
- The population in this area is a good mix between families with young children and older couples who mostly have lived here a decade or more
- A building with lots of small flats is unlikely to attract people who want to settle down and be part of a community;
- The developers treatment of the existing building (see images 'Llanvanor 22, open door/ windows/ roof') and ground with formerly mature trees does not indicate a development in correspondence with the surrounding environment and community;
- The provision for 4 car parking spaces is again out of character with the rest of the street and a major factor in the opposition to Smiths is the dramatic increase in street traffic within Llanvanor Road and improper access to Finchley Road;
- A major development that backs on to on the Smiths site is also proposed - the neighbourhood of Llanvanor, Nant, and Hodford Roads has opposed this development strongly based on its scale, lack of consideration for local residents and impact on local services and traffic and has instructed a barrister for an additional legal response;
- The development of No. 22 cannot simply be taken on its own merits and Barnet must take into account its close proximity to other major developments (Llanvanor Road/ Finchley Road (**F/00070/11**), Tudor Court (**F/00006/11**), Hodford Road/ Finchley Road (**F/05021/10**)) in the local area also in current planning stage;
- Without any notification, workmen began carrying out sporadic work last summer and damaged the building and surrounding area considerably and have now left the site to fall into complete disrepair to the extent it has had to be boarded up. If the developer shows this distinct lack of respect for the property (and the street as a whole) this is neither beneficial nor conducive to local support on any additional planning;
- As a side note, we are aware that the development next door at 24 Llanvanor Road has just been ordered to be returned back from 7 bed-sits it was converted to without permission into its previous use as a single property;
- The felling of the trees last year was also uncalled for and removed what was an attractive natural feature of this part of the road without due notice. Plans to reinstate replacement trees should be addressed as part of the application and would be much appreciated.

It is considered that these points have previously been addressed in the main report. The recommendation remains for approval.

Rosh Pinah School, Glengall Road – Page 51

Amend condition 8 to read:

“The playground areas hereby approved shall not be used before 8am or after 5.30pm on weekdays and not at all on Saturdays, Sundays and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential occupiers.”

Amend condition 11 to read:

The number of children enrolled on the school register for each academic year should not exceed 510 at any time before August 2018, and 480 at any time thereafter.

Reason: To safeguard the amenities of occupiers of neighbouring residential occupiers.

The reference in the officers report to a proportionate decrease in car parking spaces in an error, as amended the scheme would retain the same number of car parking spaces as existing.

Additional condition 16:

Two months prior to occupation of the buildings a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The use shall be carried out in accordance with the Travel Plan as approved.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policy GSD of the Adopted Barnet Unitary Development Plan 2006.

Policy M14 is only relevant in relation to London Plan parking standards and not in terms of residential parking standards.

134-136 Hendon Lane – Page 60

The application has one additional parking space from the previously approved application. The council's Traffic and Development Team have no objection to the proposals. The application is considered to be acceptable on highways grounds

13-15 Station Road – Page 73

The report is amended to include the Section 106 details as well as recommendations 1, 2 and 3.

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:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;

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| 2 | All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority; | |
| 3 | Libraries (financial) | £834.00 |
| | A contribution towards Library Facilities and Resources in the borough | |
| 4 | Education Facilities (excl. libraries) | £8,282.00 |
| | A contribution towards the provision of Education Facilities in the borough. | |
| 5 | Health | £5,576.00 |
| | A contribution towards Health Facilities and Resources in the borough | |
| 6 | Highways (controlled parking) | £2,000.00 |
| | A contribution towards the cost of required changes to an existing scheme or creation of a new scheme for controlling parking within the vicinity of the development. | |
| 7 | Monitoring of the Agreement | £734.60 |
| | Contribution towards the Council's costs in monitoring the obligations of the agreement. | |

RECOMMENDATION II:

That upon completion of the agreement the Head of Planning and Development Management approves the planning application reference: F/01292/11 under delegated powers subject to the conditions which remain the same as previous report.

RECOMMENDATION III

That if an agreement has not been completed by 16/08/2011, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application F/01292/11 under delegated powers for the following reasons:

The development would require a Section 106 agreement and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting identified additional education, health and library facilities, and the associated monitoring costs which would be incurred by the community as a result of the development, contrary to Policy CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

The approved plans condition should read:

The development hereby permitted shall be carried out in accordance with the following approved plans: FS723/Loc01; 10/723/sur01 RevA; 10/723/sur02 RevA; 10/723/sur03 RevA; 10/723/sur04; 10/723/sur05; 10/723/sur06; 10/723/P02A; 10/723/P04A; 10/723/P06B; 10/723/P08A; 10/723/P10B; 10/723/P16A; 10/723/P14B.

Reason:

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

The following conditions should be added:

CON36 Ventilation and Extraction Equipment - Details Required

Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

CON71 Impact of Noise PPG24

A noise assessment, by an approved acoustic consultant, shall be carried out in accordance with Planning Policy Guidance Notes 24 on the development that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings.

CON72 Noise from Site Plant

The level of noise emitted from the (**specify machinery**) 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.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

CON73 Noise Report for Site Plant

Before development commences, 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 the development of the 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 (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

CON75 Sound Insulation from commerce / industry

The development shall be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from the (specified 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.

A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties.

CON90 Air quality report for developments in high air pollution areas

Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the (units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

CON91 Air quality for small developments

Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

INF35 Acoustic Information

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.

INF41 Air Quality

The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

10 St Marys Avenue – Page 83

One letter of support has been received by the Council and raised the following comments:

- Believe that the proposal is sympathetic to the neighbouring properties and is in keeping with the similar local development;
- Proposal will improve outlook and the quality of internal living space in the dwellinghouse.

32 Manor View – Page 89

Four additional letters have been received by the council and raised the following comments:

- Parking Concerns;
- Out of character;
- Noise & disturbance for cars;
- Increased comings and goings;
- The providing of misleading information;
- Concerns over creation of dangerous/concealed driveway;
- Impact upon neighbour's ability to enjoy their own home.

It is considered that these points have previously been addressed in the main report. The recommendation remains for approval.

16 Aylmer Road – Page 121

There is the addition of an informative outlining plan no's:

1769.10A; 1769.11A; 1769.10A.

These drawings were included to show the implemented floor layout of this development, which has been changed from that originally approved.

Consultation responses to the application:

An additional response from a neighbouring property was received confirming their support of this application.

Correction to page 126 paragraph 3:

*As part of the original approval for the development, the document made reference that there is/will be a 2 metres high boundary fence between the application site and 14 Aylmer Road. In light of this, it is not considered necessary that the ground floor windows fronting **no. 14** should be obscure glazed as the height of the boundary fence negates any potential concerns.*