

MEETING**WEST AREA PLANNING SUB-COMMITTEE****DATE AND TIME****TUESDAY 8TH MAY, 2012****AT 6.30 PM****VENUE****HENDON TOWN HALL, THE BURROUGHS, NW4 4BG**

Dear Councillors,

Please find enclosed the addendum to the report of the Acting Assistant Director of Planning and Development Management.

Item No	Title of Report	Pages
6.	West Area Planning Sub-Committee - Addendum	1 - 12

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WEST AREA PLANNING SUB-COMMITTEE

8th May 2012

AGENDA ITEM 6

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

All references in the recommendations which refer to the Assistant Director of Planning and Development Management should be amended to refer to the "Acting Assistant Director of Planning and Building Control."

All reference in the recommendations and reports to any Planning Policy Guidance (PPG) or Planning Policy Statements (PPS) should be removed. All PPGs and PPSs have been replaced by the National Planning Policy Framework (NPPF) which was published on 27 March 2012. It is considered that all applications comply with the relevant policies within the NPPF.

All reference in the recommendations and reports to BS 5837: 2005 should be replaced with BS5837: 2012 - Trees in relation to design, demolition and construction – Recommendations

Page 1

1-10 and 11-19 Silkstream Parade

Amend informative 5 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of **£14,245**.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil

You will be sent a 'Liability Notice' that will provide full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, this is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide

such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

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Amend informative 2 to read:

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 Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

Core Strategy (Submission version) 2011: 3.5, 5.3, 6.1, 7.4, 7.6

Development Management Policies (Submission version) 2011: DM01, DM02, DM03, DM04, DM06, DM08, DM11, DM17

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

The proposal would not fail to preserve or enhance the character and appearance of the Conservation Area or the visual and residential amenities of occupiers of surrounding properties. The proposals would have an acceptable impact on local flood risk and highway safety. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Page 15
124-128 Granville Road

The CIL charge in informative 6 should be amended to read as follows:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £23,415.

Page 31

8 The Vale

Amend condition 1 to read:

The development hereby permitted shall be carried out in accordance with the following approved plans: PL-001; PL-002; PL-003A January 2012; PL-004RevA; pl-005RevA; PL-006RevA.

Reason:

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

Page 43

Dukes House, 13 Dollis Avenue, N3 1UD

Amend informative 7 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £47,425.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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Page 63

34 Village Road

An additional objection has been received raising the additional grounds:

- Development not compliant with Design Guidance for Finchley Garden Village
 - o Velux would be out of character and should not be on the front roofslope
 - o Precedent for the rest of the houses

The total number of objections is 5.

It should be noted that the document referred to by the applicant is not a Design Guidance prepared and adopted by the Council. It therefore carried limited weight in the determination of planning applications. Nonetheless, the merits of a front velux have been addressed fully in the officer's report and based on the site's circumstances and limited public visibility, it is considered acceptable in this instance.

Page 89

Garages to the rear of 1-12 Gloucester Court

1 additional objection received:

- Own one of the garages - looking for an explanation as how someone else can apply for planning application on our property without our permission.

It should be noted that Certificate B has been served.

Page 119

40 Wessex Gardens

It should be noted that the application site falls within the Childs Hill ward.

Page 109

137 Hendon Way

1 additional objection received with photos:

- Copy of Part Wall Matter letter.
 - Unacceptable development.
 - Require an enforcement visit as the works are on a very advanced stage.
-

Page 99

8 Cumbrian Gardens

Amend condition 1 to read:

The development hereby permitted shall be carried out in accordance with the following approved plans: CG11-PP-EX-01; CG11-PP-02 RevD.

Amend informative 3 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £2870.00.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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interest. There are various other charges and surcharges that may apply if you fail to meet statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

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Additional informative to be added:

If the development is carried out any new crossovers or alterations to existing crossovers will be subject to detailed survey by the as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. The tree section will be consulted regarding any highways trees in proximity to the proposed crossover as part of the crossover assessment. An estimate for this work could be obtained from London Borough of Barnet, NLBP, Building 4, 2 nd Floor, Oakleigh Road South, London N11 1NP

Highways comments have been received as follows:

The proposal is for conversion of existing dwelling into 3 flats (1 x 2-bedroom and 2 x 1-bedrom). 3 off street parking spaces are proposed accessed via a new crossover and the existing crossover. Any modifications to the new crossover and the construction of the new crossover will be subject to detailed survey as part of the application for the crossover under the Highways Act 1980. The final crossover layout may need to be modified to comply with the requirement for a minimum upstand of 1.80 metres between crossovers.

The parking provision is in accordance with the parking standards and the proposal is acceptable on highways grounds.

Page 129

1025 Finchley Road

The last two paragraph of the equality section of the report should be replaced as follows:

Having taken all material planning matters into consideration and having paid due regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics, officers conclude that the benefits of the grant of planning permission, in particular the provision of an additional office space (in line with policy EMP3) and a residential unit (in line with policies GH1 and H16) in an accessible town centre location, as well as the availability and mitigation of alternative parking, a possible new disabled parking bay and the consideration of ownership of the land as sole freehold by the applicant, that the benefits to the wider community outweighs the harm caused to those with protected characteristics

It is therefore considered that the grant of planning permission is considered acceptable and the application is accordingly recommended for approval.

Page 147

18 Bigwood Road

Condition 6 shall be amended as follows:

The hereby approved windows shall match the original windows in material and style.

Reason:

To protect the character of the house and the Hampstead Garden Suburb Conservation Area.

Condition 7 shall be amended as follows:

The proposed repositioned dormer window in the side elevation 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.

Reason:

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

Page 167

4 Winnington Close, N2 0UA

Amend informative 3 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £26,373.55.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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17 Spaniards End, NW3 7JG

Amend informative 3 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £13,510.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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Page 211

Tudor Cottage, 64 Marsh Lane

Additional consultation has been undertaken on the amended plans received. Two additional objections were received from residents who objected to the initial proposals, advising that their objections still stand.

Amend the wording of clause 7 of the legal agreement referred to in the report to read:

1.1 *Not to implement (implementation including site works, enabling works and preparatory clearance) nor cause nor permit implementation of the permission until such time as the owner has submitted to the Council and the Council has approved in writing :*

- i) *details of the location, extent and depth of all excavations for drainage and other services, and*
- ii) *a report from an 'Arboriculturist' detailing works required in respect of trees on the owner's land and on the owner's adjoining land in order to protect trees from damage arising out of the provision of drainage and other services from Marsh Lane and Austell Gardens to the development and to the adjoining land.*

1.2 *Subject to the receipt of the Council's written approval (such approval not to be unreasonably withheld or delayed) to implement the permission in accordance with the details and report referred to in clause 1.1 of this schedule*

**Arboriculturist – A person who has through relevant education, training and experience, gained expertise in the field of trees in relation to construction'*

Amend informative 6 to read:

The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of **£10,080**.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge

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Amend Condition 1 to read:

The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, P/01 **Revision A**, P/02 Revision **B**, P/03 Revision A, P/04 Revision A, P/05 Revision A, P/06 Revision A, P/07 Revision A, P/08 Revision A, P/09, P/10 Revision A, P/11 Revision A, P/12 Revision B,

Reason:

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

Amend Condition 3 to read:

Before the development hereby permitted is occupied the parking spaces/garages shown on Plans P/02 Revision **B** shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

Amend Condition 8 to read:

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 at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area

The reference on page 224 under the tree section of the report indicates that there are protected trees under Tree Preservation Order across the entire site. This is not correct; the protected trees are concentrated in a belt to the front of the site.

Delete reference to garage on page 225 under highway considerations. The scheme no longer features a garage.

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