

<p><b><u>MEETING</u></b></p> <p><b>PLANNING AND ENVIRONMENT COMMITTEE</b></p>
<p><b><u>DATE AND TIME</u></b></p> <p><b>WEDNESDAY 18TH DECEMBER, 2013</b></p> <p><b>AT 7.00 PM</b></p>
<p><b><u>VENUE</u></b></p> <p><b>HENDON TOWN HALL, THE BURROUGHS, NW4 4BG</b></p>

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
6.	Addendum to the Report of the Acting Assistant Director of Planning and Development Management	1 - 8

Maria Lugangira  
020 8359 2761

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## PLANNING & ENVIRONMENT COMMITTEE MEETING

Wednesday 18<sup>th</sup> December 2013, 7.00PM

AGENDA ITEM 6

### ADDENDUM TO REPORT OF THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT

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#### Page 5

**Reference: B/02710/13**

**Address: Land between Sweets way and Oakleigh Road North, London, N20**

Since the publication of the committee report a number of additional comments have been received on the application. These are summarised under the headings below.

Officers' position on the points raised is set out in the committee report.

#### Joint comments from the Friern Barnet and Whetstone Residents Association and a resident

Have written strongly in support of officers' recommendation to refuse the application for the reasons detailed in the report. However also ask that the Committee consider the following proposed additional recommendations and include them as further grounds of refusal:

##### "Additional Recommendation A:

The proposal would in relation to the proposed Blocks A and B fronting Oakleigh Road North, by reason of their design and parameters sought for approval, represent an overdevelopment of the site with regard to their appearance, scale, mass, height and density and would be out of context in the street scene, excessively obtrusive, result in the unacceptable loss of trees, and Block B would protrude forward of the building line reducing the size of the open area fronting Oakleigh Road North to the detriment of the local street scene. The proposal would therefore not constitute a sustainable form of development, which optimizes the housing potential of the site, and be contrary to policies DM01, CS NPPF and CS3 of the Barnet Local Plan Core Strategy and Development Management Policies Documents (both adopted September 2012).

##### Additional Recommendation B:

The proposal would in relation to the proposed Block C, by reason of its design and parameters sought for approval, represent an overdevelopment of this part of the site with regard to its appearance, scale, mass, height and density and not relate to the scale of the houses proposed to the east and south of the proposed apartment block, nor to the existing two storey Regent Court flats to the north and the houses in Whetstone Close. The proposal would therefore not constitute a sustainable form of development, which optimizes the housing potential of the site, and be contrary to policies DM01, CS NPPF and CS3 of the Barnet Local Plan Core Strategy and Development Management Policies Documents (both adopted September 2012)."

Ask that the Committee agree to include these additional grounds of refusal because they feel that officers have incorrectly concluded that the proposed flatted blocks are acceptable. Consider that it is particularly important that all justifiable grounds of refusal are specified in the decision notice at this stage because they understand that the Council could have costs awarded against them on appeal should it endeavour to vary the parameters to the detriment of the applicant when considering a subsequent application.

Are also concerned that officers' approach of treating the site as a whole distorts the density appraisal (set out in section 3.3 of the committee report) and note that the TFL PTAL calculator assesses a PTAL of 2 at some locations within the application site.

#### Comments from Phase 1 Residents Association

Chairman of the Association has written in objecting on the following grounds:

- The density of the development and the overcrowding and privacy problems this would incur for future residents.
- The loss of oak and maple trees will affect local air quality and ruin this area of leafy suburb.
- More cars will have access directly on to Oakleigh Road North which already experiences traffic problems.

#### Comments from Lawsons Timber Merchants

Have written in reiterating a number of objections made in their previous correspondence on the application (summarised on page 14 of the committee report).

#### Comments from residents

1 additional response has been received from a resident objecting to the application. This objects to impacts arising from the increases in traffic that the proposal would cause.

### **Page 73**

**Reference: F/01319/12**

**Address: Chandos Lawn Tennis Club**

References to affordable rent in recommendation I should be amended to social rent.

Since the committee report was written, the applicant has written to request a modification to condition 2 (Time Limit to implement the planning permission). The applicant has requested that the condition be modified to enable development to start within 5 years to enable sufficient time to commence the tennis club redevelopment. In view of the requirements of the legal agreement to construct the new tennis club before works start on the residential development subject to this application, it is considered that this request is reasonable and condition 2 should be amended to read as follows:

“This development must be begun within five years from the date of this permission”.

The wording of condition 26 should be amended as follows:

“Car and cycle parking spaces (with the exception of parking spaces along the northern boundary of the site subject to condition 39) shall be provided in accordance with the drawings listed in condition 1 pursuant to this consent. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development”.

An additional condition (number 39) should be added:

“Before development hereby permitted is occupied details of the parking spaces located along the northern boundary of the site shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the council’s standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011”.

Since the committee report was written, the Hampstead Garden Suburb Trust has written. The Trust has reiterated the positive nature of the amendments to the scheme but also raised concerns with the screening between the site and Reynolds Close which they consider should be planted. The report addresses those issues in detail and landscaping conditions have been recommended.

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**Reference: F/01320/12**

**Address: Finchley Manor Garden Centre**

Condition 22 should be removed because potential noise issues arising from the development have been addressed by condition 17.

Condition 23 should be amended as follows: “The use hereby permitted shall not be open before 7am or after 11pm”.

Condition 25 should be amended as follows: “The floodlights hereby permitted shall not be operated before 7am or after 9.30pm”.

Condition 26 should be amended as follows: “The club house facilities hereby approved shall be ancillary to the use of the premises as a tennis club and shall not be let or hired for functions for more than 100 persons for non-tennis related activities or be made available to non-club members”.

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**Reference: F/04552/13**

**Address: 847-851 Finchley Road**

The date for completion of the legal agreement on page 166 should be amended to 23<sup>rd</sup> December 2013.

The CIL informative Figures should be amended as follows:

- Mayoril CIL: £180,589
- Barnet CIL: £186,678

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**Reference: F/04475/13**

**Address: Archer Academy Playing Fields, Stanley Road**

All references to a unilateral undertaking should be replaced with the wording legal agreement

Recommendation I needs to be amended to include the following:

- £2,000 to install bollards on the existing pedestrian bridge on Stanley Road to ensure that it is not used by vehicles.
- £5,000 towards lighting improvements to cater for the additional use of the existing footpath link over the railway to Stanley Road.

Recommendation II needs to be amended to read as follows:

“That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application reference F/04475/13 under delegated powers subject to the following conditions and any other conditions deemed necessary as a result of the legal agreement; consultation with TfL or the GLA.”

Condition 5 should be amended as follows: “Before the development hereby permitted is occupied”

Condition 11 should be amended as follows “Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. ~~These details shall include provision of not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities.~~”

Condition 14 should be removed as it does not relate to this application.

Condition 20 should be amended as follows: “drainage works should not be carried out until details have been submitted and approved in writing by the Local Planning Authority”.

Condition 21 should be amended as follows: “Prior to commencement of development plans showing the trees to be retained and the measures to protect these trees during construction shall be submitted to and approved in writing by the Local Planning Authority. Three months prior to occupation a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority.”

Condition 29 should be amended as follows: "Three months prior to occupation".

Condition 31 should be amended to include reference to a minimum level of community use.

Condition 36 should be removed as there was an error in scaling the plans and the proposed windows in the side elevation facing New Ash Close will be over 30m from the nearest residential window.

The following additional informatives need to be added:

10. The applicant is advised that the Fire Brigade should be consulted prior to commencement of the development to ensure that the access arrangements for the emergency services meet their requirements.
11. Prior to the commencement of development details you need to advise the Highway Authority of any public or private rights of way across Stanley Road Playing Fields which require to be stopped up to facilitate the development.

On page 196 of the report reference is made to reporting the GLA Stage 1 report which was published after the committee report in the addendum. The Stage 1 report was received on the 16<sup>th</sup> December 2013. The Stage 1 report states that the Deputy Mayor broadly supports the scheme, although further information is required as set out in paragraph 59 of the report in order to ensure full compliance with the London Plan.

Paragraph 59 requests further information and clarification on the following:

- **Education Facilities:** The proposed development of education and sports facilities is welcomed and complies with London Plan Policy 3.19. A definitive minimum level of community access should be agreed and secured via condition.

**Officer response:** Condition 31 requires the submission and approval of a community use agreement it is recommended that this condition be reworded to include reference to a minimum level of community use.

- **Climate Change mitigation and adaption:** Further information is required to determine whether the application complies with London Plan Climate change mitigation and adaption policies. In particular the following are required:
  1. Tables of the total site carbon emissions (not per sqm) and carbon savings at each stage of the energy hierarchy in accordance with current GLA guidance.
  2. Confirmation that all parts of the building will be connected to the site heat network which should be supplied from a single energy centre.
  3. Further information on the heat and electrical load profiles for the site and the predicted contribution from CHP.
  4. Based on current information it would appear that the CO2 savings appear to fall short of the targets required by the London Plan. The applicant must therefore consider additional measures aimed at achieving further reductions.

**Officer response:** These requests have been forwarded to the applicant who is undertaking providing the additional information requested and this will be formally submitted to the GLA at the time of the stage 2 referral.

- **Transport:** Issues relating to cycle parking, car parking, impact assessment, walking environment, construction methodology and the requirement to secure DSP and CLP by condition will need to be assessed before the application can be considered in line with the transport policies set out in the London Plan.

**Officer response:** A number of conditions are recommended that address the issues raised. The applicant is in the process of updating and amending the transport information to address the issues raised and the committee report reflects this.

Since the committee report was written Sport England have submitted an amended response stating that they have no objection to the provision of a larger pitch (74m x 48m) and the application should be considered on the basis of the provision of a 74m x 48m pitch rather than the 73m x 46m pitch referred to in the report.

Due to errors in scaling the plans a number of the measurements on page 199 of the report are incorrect and need to be amended as follows:

**New School Building:** The new school building would be located in the southwestern corner of the site fronting onto the existing pedestrian footpath that runs between the site and Holy Trinity Primary School. the building would be 'L' shaped and three storeys in height. The building would provide 3,710sqm of floorspace and accommodate 450 pupils. The building would include a new three court indoor sports hall which would form the bottom part of the 'L' and would run along the western boundary with the Northern Line. Access to the building would be through a new entrance plaza on the south eastern side of the site accessed via the existing public footpath and via Egans Close. The building would have a frontage of ~~69m~~ **69.5m** and a depth of ~~43.7m~~ **16.7m**. The sports hall which would be located to the rear of the building would have a depth of 32m and a width of 19m this would form the bottom of the 'L'. The building would be 12m high and have a flat roof on top of which would be located 1.5m high lettering spelling out the name of the school on the southern elevation and some plant located centrally within the roof.

The building would be set between 6.2m-10m off the boundary with the Northern Line; ~~3.4m-4.9m~~ **5.2m-9.5m** back from the back edge of the public footpath and ~~43.5m~~ **27m** from the eastern boundary of the site. The nearest residential properties are in New Ash Close which would be ~~46.2m~~ **32.5m** from the flank elevation of the proposed new school. To the rear of the school buildings would be playgrounds; tennis courts and the football pitch. As a result the building would be located approximately ~~64m~~ **74m-106m** to the south of the rear elevations of the Leslie Road properties.

The building would be of a modern design built of brick (at ground floor) and coloured render (predominantly grey and broken up with areas of lime green). Windows would be grey powder coated aluminium. The schools logo (3 longbows) has been incorporated into the design on the public elevations. The sports hall would be 1.5m lower than the main building and would be constructed of brick at ground floor level with composite metal panelling above and for the roof. At ground floor level a



small undercroft would be created on the southeastern corner of the building which is where the main entrance to the building would be located. A secondary smaller entrance would be located 11m in from the southwestern corner of the building which would provide out of hours access to the sports hall.

New external two court hard court games area: The proposed hard courts would be located behind the proposed school building close to the eastern boundary of the site. They would be marked out so as to provide 2 x tennis courts and 2 x netball courts. The courts would be hardsurfaced and be enclosed by 2m high ball stop fencing. The proposed courts would be 17.7m wide and 17m long and would be set ~~2.2m~~ **4.3m** off the eastern boundary of the site. The nearest residential property would be between ~~4.5-5.5m~~ **7.2m-9.4m** away in New Ash Close.

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**Reference F/0003/10/VG**

**Finchley Garden Village, Upper and Lower Greens, Village Road, N3**

As set out in the report, the applicant was advised of the Council's conclusions following review of the evidence and given the opportunity to comment. The applicant has confirmed that he has reviewed the evidence documents used by the Council and is unlikely to contest the Council's decision.

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