

<u>MEETING</u> HENDON AREA PLANNING COMMITTEE
<u>DATE AND TIME</u> WEDNESDAY 15TH JUNE, 2016 AT 7.00 PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4AX

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
1.	SUPPLEMENTARY AGENDA TO HENDON AREA PLANNING COMMITTEE HENDON TOWN HALL 15 JUNE 2016 7.00PM	1 - 10

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HENDON AREA PLANNING COMMITTEE

15th June 2016

ADDENDUM TO SERVICE DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT AGENDA ITEM 15

16/2298/FUL

Pages 107 - 114

3 Glebe Crescent, NW4 1BT

The committee report published did not include the two reasons for refusal due to a technical error; they are as follows:

1. The proposed conversion of the property into self-contained flats would result in the loss of a single family dwellinghouse which would be out of character within an area which predominantly comprises houses in single family occupation and as a result would fail to preserve or enhance the character or appearance of Glebe Road contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).
2. The proposal would, by reason of its design and layout, result in a poor form of development that fails to provide adequate amenities for the future occupiers of 3 Glebe Crescent. The scheme would provide inadequate daylight and outlook for bedroom 2 of both flats, as shown in the proposed plans. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (Adopted 2015), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Barnet Residential Design Guidance Supplementary Planning Document (Adopted 2012), the Barnet Sustainable Design and Construction Supplementary Planning Document and the Mayors Housing Supplementary Planning Guidance (Adopted 2012).

Since the publication of the report, the applicant has provided an amended plan to include an additional rooflight to bedroom 2 of Flat 1 and a part obscure glazed window to serve bedroom 2 of Flat 1; informative 1 shall be amended to include the correct plan numbers and will therefore read as follows:

The plans accompanying this application are: Planning Statement dated April 2016; 0460/000; 0460/001; 0460/201 Rev A; 0460/202 Rev B.

Upon review of the amended plans submitted, Officers consider that Bedroom 2 of the ground floor would have an unacceptable level of privacy due to the height of the glazed element and by virtue of the fact that the two proposed windows serving Bedroom 2 would be looking onto the outdoor amenity space allocated to occupiers of the first floor flat.

As such, the second reason for refusal shall read:

2. The proposal would, by reason of its design and layout, result in a poor form of development that fails to provide adequate amenities for the future occupiers of 3 Glebe Crescent. The scheme would provide inadequate daylight and outlook for bedroom 2 of both flats, in addition to an unacceptable level of privacy for occupiers of the ground floor flat, as shown in the proposed plans. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (Adopted 2015), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Barnet Residential Design Guidance Supplementary Planning Document (Adopted 2012), the Barnet Sustainable Design and Construction Supplementary Planning Document and the Mayors Housing Supplementary Planning Guidance (Adopted 2012).

16/2867/FUL

Pages 63 - 70

25 Holmfield Avenue, NW4 2LP

Since the publication of the report and following the consultation of the Highways Department - The highways officer has not raised any objections to the proposed development, but due to the creation of an additional bedroom, a cycle space in accordance with the London Plan is required, which has been added as a condition to the planning permission.

Add condition:

Before the development hereby permitted is occupied, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 which in turn refers to London Plan Parking Standards.

In the interest of clarity, as annotated on Drawing No. H002-EXT-PP.03.R1, the existing shed is to be demolished upon construction of the proposed single storey rear extension.

An informative has also been added, as the existing outbuilding which is to be removed may contain asbestos.

Add informative:

The applicant is advised that the existing shed on site may contain asbestos.

Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

16/2504/HSE

Pages 99-106

39 Sydney Grove, NW4

The occupier of the neighbouring property at no.37 has provided an additional letter from a consultant in respect of daylight and sunlight. This states, in the view of the consultant that the proposals breach the 25 degree test in respect of the BRE (Building Research Establishment) Guidance. The letter requests that no decision in favour of the application is made by the Committee until the applicant instructs their surveyor to undertake the computer calculations in order to determine the precise impact to no.37 property. The letter makes reference to the impact on the high level side windows of the conservatory at no.37.

Officers accept that there may be a degree of loss of sunlight to the conservatory. However, the conservatory would continue to enjoy good outlook from the rear windows. In the professional opinion of officers the impact on the occupiers of no.37 would not be materially harmful.

Daylight and sunlight assessments are not required for householder extensions. To require one from the applicant would be unduly onerous and unnecessary in the view of officers. It is noted that a letter from a consultant has been provided by the applicant however this does not provide specific advice and officers have given this little weight in their recommendation. In the view of officers there are no grounds to defer the item as a result.

15/04144/FUL
Pages 23-48
Land North of Garrick Industrial Estate, NW9 6AQ

The application description should read as:

Erection of 2 no. two storey B1 (Business), B2 (Food Processing – The Bread Factory) and B8 (Storage and Distribution) units, including 45 no. new parking spaces, cycle storage and associated works

Under the consultation responses it should be noted that a petition has been received with 46 signatures objecting to the proposal.

A 'Press release' has been received from a resident. The issues are considered to be addressed in the officer's report. However the following specific points are raised:

- The identity of the applicant is not a reason to withhold planning permission
- There is a condition addressing the removal of Giant Hogweed from the site.

Amend Planning History

W01406V - Erection of industrial and warehouse units with ancillary offices, car parking spaces, turning areas, construction of service roads, modified vehicular access and landscaping. – Approved - 09.01.1980

Section 3 of the report should be amended to read:

The bread factory located on the site currently occupies six units on the Estate and has confirmed interest in occupying the new unit 25. However, at this stage this has not been confirmed and as such the applicant does not wish to have a specific user listed. It should be noted, however, that if the unit/s are to be occupied as B2 – food processing this will only be occupied by The Bread Factory. The description of development has been

amended to reflect this situation which specifies that the only B2 use permitted will be occupied by The Bread Factory. If, the bread factory do not occupy either of the additional units, the units will only be used as B1 or B8 uses.

The following should be added under assessment of the proposal:

It is noted that as part of the previous approval for the industrial estate under applications W1406V/HQ792A a condition was imposed for this stated "Before any of the buildings hereby permitted are occupied, the landscaped embankment adjacent to the northern boundary of the site shown on submitted drawing No.HE.100 shall be constructed in accordance with details to be agreed with the Local Planning Authority.

Following this a further application was submitted under reference W1406AH for the details of the landscaping. This provided a section plan of the proposed landscaping mound and planting along the boundary.

The proposal seeks to remove this landscaping mound as part of the current proposal. The Local Planning Authority have assessed the application and taken into consideration the removal of this landscaping mound to enable the development and are satisfied with the proposal and the loss the previously agreed landscaping.

Amend Condition 21:

If, the units are be used for any light industrial (B1(b) or B1(c)) or B8 such uses shall not operate at any time on Sundays, Bank or Public Holidays, or before 7am or after 11pm on any other day.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

Amend condition 25

a.) Prior to the commencement of the development details comprising a scheme for the removal of the Japanese Knotweed **and Giant Hogweed** shall be submitted the Local Planning Authority and approved in writing.

b.) The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

Additional conditions to be added:

a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall 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 content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

The level of noise emitted from the extraction and ventilation and any other 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 in accordance with Policies DM04 of the

Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

Before the development hereby permitted is occupied, details of the parking spaces and vehicle noise details shall be provided in accordance with a revised parking layout drawing to be submitted following the resolution of Stopping Up of existing public highway and provision of new turning head and shall be approved in writing by the Local Planning Authority. 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 the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Before development commences, a report should be carried out by an approved acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development with regards to its use. 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.

Prior to the units hereby approved being brought into use, the applicant shall submit a parking management plan illustrating how the use and noise arising from

the use of parking spaces on the boundary with Colin Drive shall be minimised. The development shall be implemented in accordance with these details thereafter.

Reason: To safeguard neighbouring residential amenity.

The following informatives should be added:

1. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');**
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);**
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;**
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;**
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;**
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.**

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

2. Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

3. The applicant is 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 Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;**

- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

4. The applicant is advised to engage a qualified kitchen extraction consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory smoke and odour control. Please note that:

- Flue(s) must be 1.5 m* above eaves or any open able windows in the vicinity (within 20 metres of the flue) if there are sensitive premises in the vicinity. The final discharge must be vertically upwards. There should be no hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. *If the flue is in a Conservation area then this height may be reduced to 1m above eaves.

- 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: DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005); DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010). Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

<p>16/0806/FUL Pages 79 - 98 5-7 Parson Street, NW4 2LP</p>

Amend recommendation I

4. Contribution of £9,000 towards the refurbishment and enhancement of the play area and sport court facilities in Sunny Hill Park.

<p>16/0948/FUL Pages 11-12 55 Sheaveshill Avenue, NW9</p>

Highways officers have been consulted on the proposals and have no objection to the parking arrangements.

Paragraph 5 on page 123 of the report should read:

'The applicants have submitted information in support of the variation of condition 14 stating that the variation would not compromise the safety of pedestrians and indeed the Highway. The submission of plan No. 782-001 which is an amended drawing received after the initial Highways and Transport Report was submitted. The plan indicates a visibility splay taken from the North West front element of the site of 46.75 metres, with the South of the front element of the site achieving a 73.5m visibility splay known as the X distance and a Y distance of 2m'.

Add informative:

The applicant is advised that any works to protected trees will require consent from the Local Planning Authority. It is a criminal offence to carry out works without consent.

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