

<u>MEETING</u> HENDON AREA PLANNING COMMITTEE
<u>DATE AND TIME</u> THURSDAY 13TH OCTOBER, 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.	ADDENDUM (IF APPLICABLE)	3 - 8

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HENDON AREA PLANNING COMMITTEE

13th October 2016

ADDENDUM TO OFFICERS' REPORT

AGENDA ITEM 5

16/5013/FUL

14-16 West Avenue, NW4 2LJ

Pages 9 - 18

The applicant has provided a written response to the Committee report (Attached).

The following changes are proposed:

Reason for refusal 3 should be amended to read as;

The proposed development by reason of its lack of outlook, daylight and sunlight for future occupiers of the flats A and B which contain habitable space located at basement level would be harmful to the residential amenity of future occupiers, contrary to policies 3.5 and 7.6 of the London Plan (2015), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policy DM01 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Barnet Residential Design Guide Supplementary Planning Document (Adopted 2012).

This reason for refusal should be expanded on within the section titled, 'Amenity of future occupiers' as:

Owing to the proposed lightwell being 1m-2m deep (i.e. into the rear garden) and 2m into the ground, the windows of bedrooms located at basement level will not benefit from adequate outlook, daylight and sunlight.

Site History should include the following application:

Reference: 16/3313/FUL

Address: 14 - 16 West Avenue, London, NW4 2LJ

Decision: Withdrawn

Decision Date: 18 July 2016

Description: Demolition of 14 and 16 West Avenue and erection of two storey building with basement level and rooms in roofspace to facilitate 4 no. self-contained flats. Associated amenity space, refuse storage and 4 no. parking spaces.

Reference to the historic application at 10 West Avenue should be removed from the Planning History section.

Section 3 – Proposal

The last paragraph should remove reference to new dwelling, to read;

The proposed new building would measure 14.5m in width, 9.5m in height and have a proposed depth of approximately 14.5m. The replacement building would be closely sited to both boundaries with a gap of 1m to the side adjacent with 12 West Avenue and approximately 0.8m to the side adjacent with 18 West Avenue.

Section 4 – Public consultation

The letters of support can be summarised as follows;

- High property prices make the current 9 bedroom property unaffordable; proposals provide 4 affordable units
- Provides much needed smaller accommodation
- Proposals provide off-street parking in a congested road
- Positive impact on street

16/5134/FUL

5 Pipers Green Lane, HA8 8DG

Pages 19 - 36

The last sentence of page 33 is incomplete. This should read as follows:

The applicant has advised that the existing boundary planting to party boundaries would be retained. As such, it is considered that adequate screening between properties would be retained to prevent any harmful loss of privacy through overlooking and to soften the visual impact if any of the development immediately to the rear of the adjacent properties.

16/1940/FUL

14 Marion Road, London, NW7 4AN

Pages 37 - 50

The objector, registered to address the committee has confirmed in an email dated 13 October 2016, that they are unable to attend the committee due to short notice but consider the revised plans to have addressed their main concerns.

Addendum
To
Application Reference: 16/5013/FUL
14-16 West Avenue, London, NW4 2LJ

The planning application is due to be heard by the Hendon Area Planning Committee on Thursday 13 October 2016. I have now had an opportunity to download and read the Officer Report. Whilst there are a number of points which we would disagree on the planning merits of the scheme, to which I will briefly refer, however, there are a number of factual and procedural issues which I feel should be brought to the attention of members when considering the application.

- Reason 3 refers to a basement flat, there is no basement flat. The proposed development comprises a new building incorporating 4 flats. The flats are each accommodated on two floors the lower ground only having bedrooms, bathrooms and utility rooms whilst the living accommodation and a further 2 bedrooms are at ground floor level. In addition, there is a gym or storage space at lower ground level.
- Site History has excluded the previous withdrawn application as follows:
Demolition of 14 and 16 West Avenue and erection of two storey building with basement level and rooms in roof space to facilitate 4 no. self-contained flats. Associated amenity space, refuse storage and 4 no. parking spaces. Withdrawn 18 July 2016.
- The Planning History includes an old application at 10 West Avenue, which is not relevant or in any way related to the current application at 14-16 West Avenue. This should be removed as it is in no way connected.
- In section 3, proposal, in the last paragraph reference is made to a new dwelling; the application is not for a new dwelling but rather for the erection of a new building incorporating 4 flats. No reference is made to the fact that the new building is comparable in size to the existing building, this should be made clear.
- Section 4 Public Consultation refers to 7 responses, 3 letters of objection and 4 letters of support. However, the Officer has only summarised the objections. We consider the issues of support should also be summarised so members are fully aware of all representations. In addition, the letters of support do not appear to be on the website therefore can I ask that these are included on the file and members are aware of their content.
- Section 5.1 Barnet Local Plan (2012) refers to Council's approach to extensions; the application is not for extensions to an existing building but rather a new build purpose built building. Therefore, would question the relevance of extensions

policies on this application. This is also repeated in the section on design of new development particularly with reference to the dormer windows.

- Section 5.3 refers to the flats in West Avenue and states there is no evidence of planning permission when in fact number 3 West Avenue was granted established use certificate/ lawful development for flats by the Council in 1999, number 7 was granted planning permission by the Council in 1991 and number 28 was granted an established use certificate for flats by the Council in 1978. Therefore, there are lawful flats approved by the Council in West Avenue.
- Section 5.3 Assessment of Proposals, there is no reference or comment on the detailed submission submitted with the planning application in the design and access statement and the planning statement. Based on the Officer's Report it does not appear, in my view that this evidence has been taken into account when considering the roof design. In particular this points out various appeal decisions where conversion of properties has been allowed including closely at 7 Golders Rise. Furthermore, I note that following this appeal a further dwelling was converted at 6 Golder Rise where the Officer report states,
"Although Golders Rise was originally characterised by single family dwellings, a number of properties along the street have been granted planning consent to be converted into flats including nos.7, 13, 26 and 39 Golders Rise. Furthermore, a recent appeal decision regarding application No. H/02846/13 dated 23.09.2013 at no.7 Golders Rise supported the conversion of a dwelling in the centre of the street. In this instance, the principal of a conversion from a single family dwelling to flatted development is therefore not objectionable, as flats are a feature in the immediate area"
This shows that only 4 properties in the road were converted however, the application was considered acceptable. This is a comparable situation to this current proposal and as such a similar conclusion should be made.
- Section 5.4 repeats the earlier point by only making reference to the objections received and not those supporting the proposal. I consider that as in section 4 members should be aware of both matters.

In relation to the planning merits of the scheme I would also point out the following main points

- There are references to loss of a single family dwelling house, the application involves the creation of 4 family sized dwelling houses i.e. a net gain of 3.
- The current property was historically a pair of semidetached houses which is now one dwelling house, it is unique in West Avenue. As it is currently a 9 bed room house the movements and noise as referred to by the Planning Officer, associated with its use will not be significantly different with the current proposal.

I trust the above matters will be brought to the Committee's attention with the inclusion of an addendum report for the meeting.

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