

<u>MEETING</u> PLANNING COMMITTEE
<u>DATE AND TIME</u> WEDNESDAY 25TH JULY, 2018 AT 7.00 PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

Dear Councillors,

Please find enclosed the addendum to the Planning Committee agenda.

Item No	Title of Report	Pages
5.	ADDENDUM (IF APPLICABLE)	3 - 10

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PLANNING COMMITTEE

25 July 2018

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

AGENDA ITEM 5

17/8102/FUL – Pentavia Retail Park

Pages 37-96

Page 46:

Paragraph 1.4 – PTAL ranges from 1a to 3, not 1a to 1b

Paragraph 2.2 – the increase in ancillary residential floorspace should be 204 square metres, not 168 square metres

Page 60

Paragraph 5.3 – 717 residential units to be replaced by 724 residential units

Page 61

Paragraph 5.9 – the bracketed figure in the third line should read 987 square metres, not 558 square metres

Page 65

Paragraph 7.12 – The relevant figures for the amenity space provided should read as follows:

- Private Balconies, roof terraces, balconies and Winter Gardens - Total of 6,748m²;
- Public Amenity Space – Total of 6,628m²

Page 66

Paragraph 7.15 – The children's playspace figures should read as follows:

Age	No.	of	Space	Requirement
0-4 years	46		460	
5-11 years	21		210	
12 +	11		110	
TOTAL	78		780	

Paragraph 7.16 – The figure should read 780 square metres, not 630 square metres

Page 69

Paragraph 8.3 - for clarity, the scheme continues to provide 35% affordable housing even with the introduction of the London Living Rent

Page 70

Para 8.6 – for clarity, the BNP Paribas report confirms that the viable position is nil.

Para 8.8 – for clarity, the 70/30 split is consistent with the GLA Draft London Plan fast track for build to rent affordable housing

Para 8.9 – for clarity, it is acknowledged that it would be inappropriate to seek to restrict the market rents, however if permission were granted the Council would seek to include a S106 mechanism to ensure the DMR units remain affordable in line with GLA affordability criteria set out within the report.

Page 84

Paragraph 10.10 – 16 storeys to be replaced by 15 storeys

Page 89

Paragraph 12.11 – The figure for cycle spaces should be 1265 spaces, not 1182

18/2891/RMA

Phase 10 Millbrook Park NW7 1PX

Pages 97-128

Three additional objections received raising the following points:

1. **The Design Code envisaged that the highest point within Phase 10 would be the western side with a height of up to 6 storeys and the remaining portion of the development up to 4 storeys.** - The original design was for a 4 storey build on the east side and now the design has changed without our knowledge or notification with the highest point now at the boundary of Phase 10, the school site on the eastern side.
2. **This revised Design and Access Statement highlights the portion of the proposed development that conflicts with the approved Design Code.** - The reasons for the movement away from the Design Code is unclear to us and no legal or sensible justification for the change of design has been provided. Part of the justifications was to deliver the required number of dwellings, however the size of the site itself does not appear to have diminished to necessitate this change. In reality, the only rational explanation for the re-design appears to be one of commercial greed. The re-design has been introduced to cater for the construction of private flats, from which the development company is set to make a substantial profit. If that is the case then this should not come at the expense of the rights of the existing residents. The developer was aware of the size of the land when it had its original design approved and they should not be able to deviate from such design because they can make more money out of it. We the residents therefore would like to put on record that we note the conflict and breach of the Design Code in the Planning Statement and Design and Access statement and, given such breach, the developer should not be permitted to benefit from flagrant breach of the rules. The re-design should not be allowed.
3. **Millbrook Park CE School** - The planning application also reiterates that the school is in agreement with the application. That is not true. We are aware, as I assume you will be, that there has been an appeal by the Governor of the school in relation to the proposed development. It is quite clear that the application and re-design has not been based on accurate information or statement of facts. To further demonstrate this point. The application claims that the development company had sent around leaflets to Millbrook Park residents in respect of the application and redesign. We never received any such leaflets.
4. **Out of Character** - The proposed amendments seem out of character for the downward gradient of the hill, making the angle/appearance/perspective of the Mount unusual.

Officer Comment: Changes to the approved heights parameters are allowed under the design code and have taken place in other phases including most recently Phase 9 which was reported to Planning Committee in February. The Council does not consider that these changes would

significantly impact upon the amenities of objectors properties due to the location of this point on a lower gradient down the hill. The other comments are noted.

Pages 135-155

18/1701/S73

Camden Sports and Social Club, Edgwarebury Lane, Edgware, HA8 8QP

Page 35 – Recommendation subject to referral to the GLA and Secretary of State

Pages 157 – 166

18/1221/FUL

School House, Whitefields School, Claremont Road, NW2 1TR

The application was deferred at the last meeting for further discussion on the wording of the condition relating to the proposed Travel Plan.

Following discussion with HB Law, an amended condition 6 is proposed, with an additional informative to be included in the decision notice.

Amended condition 6:

“a) No development shall take place until the applicant has entered into a planning obligation to secure the provision and future monitoring of a Nursery School Travel Plan. The Nursery School Travel Plan shall incorporate measures to reduce trips to the nursery school by the private car and encourage non-car modes such as walking, cycling and public transport and shall be submitted to and approved by the Local Planning Authority. The Nursery School Travel Plan should include reference to the changes made to the school building/s and the impact this will have on travel and access, the contact details of the School Travel Plan Champion and appropriate actions to ensure that the STP will meet at least Bronze level in the Transport for London STARS (Sustainable Travel Active Responsible Safe) accreditation scheme for the following 3 years.

The School Travel Plan shall include SMART targets and a clear action plan for implementing the measures. The School Travel Plan shall be monitored, reviewed and resubmitted in writing annually, for approval by the local planning authority, in accordance with the targets set out in the Plan.

b) The measures set out in the Travel Plan approved under this condition shall be implemented and retained until such time as the site is no longer in use or occupied.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM17 of the Development Management Policies DPD (adopted September 2012).”

Additional Informative:

Informative: The planning obligation submitted in respect of the Nursery School Travel Plan will need to include provision for future monitoring of the Travel Plan by the Council and a contribution of £5000 towards the associated monitoring cost.

Condition 1 to be amended as follows:

“The development hereby permitted shall be carried out in accordance with the following approved plans:

16-018-D05.001-RevA - Site Location Plan

16-018-D05.002-RevA - Topographical Survey

16-018-D05.010-RevA - Existing Block Plan

16-018-D05.011-RevA - Proposed Block Plan

16-018-D05.050-RevA - Proposed Site Plan

16-018-D05.100-RevA - Proposed Ground Floor Plan

16-018-D05.101-RevA - Proposed First Floor Plan

16-018-D05.102-RevA - Proposed Second Floor Plan

16-018-D05.103-RevA - Proposed Roof Plan

16-018-D05.200-RevA - Existing /Proposed Elevation 1 - South West

16-018-D05.201-RevA - Existing /Proposed Elevation 2 - North East

16-018-D05.202-RevA - Existing /Proposed Elevation 3 - North West

16-018-D05.203-RevA - Existing /Proposed Elevation 4 - East

16-018-D05.204-RevA - Proposed Elevation and Sections

Design and Access Statement, bptw partnership, February 2018

Planning Statement, bptw planning, Rev A, 09/04/2018

Land Contamination Assessment, AGB Environmental

Transport Statement, Vectos, March 2018

Sunlight, Daylight and Overshadowing Assessment, HTA, June 2016

Sustainability/Energy Statement, BBS Environmental

Tree Survey/Arboricultural Impact Assessment and Method Statement, AGB Environmental, 9 May 2016

Building Regulations Part M4(2) Compliance Note

Utility Site Investigation Report, Premier Energy, June 2016

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).”

Condition 10 to be amended as follows:

“Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 16-018 D05.050 Rev A shall be provided.

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.”

Condition 13 to be amended as follows:

“Prior to the need for highway mitigation, details of any proposed works proposed on public highway shall be submitted to and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and 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.”

Condition 20 to be amended as follows:

"a) No development (other than demolition works) shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013), and 7.15 of The London Plan 2015."

First Floor 1 bed unit

The report erroneously refers to the first floor 1-bed unit being a wheelchair unit (Part M4(3)). In fact it is not a wheelchair unit, just a large 1-bed unit that is designed to achieve Part M4(1).

Existing Garages

The applicant's agent has requested that the following clarification be made:

"We know that a number of the garages are let, but we cannot confirm in what capacity they are used. In our opinion, garages such as these are often used for storage purposes rather than for parking cars given the size of modern cars today. However, we have considered a worst-case scenario in our planning application submission that, should the let garages be used for parking cars, there will be no significant impact on the surrounding highways given the substantial capacity on the surrounding streets, as demonstrated in the parking survey."

H/04753/14

The Former Peel Centre, Colindale, London

Pages 129-134

Amended to pages 133

Since the planning committee report was written it has come to officer's attention that there is discrepancy in the S106 Agreement regarding the total payment amount and the instalment payment amounts for the Colindale Station Contribution.

The total amount stated in the S106 definition for the Colindale Station Contribution is £11,250,000 (page 12).

Schedule E Clause 1 then goes on to provide three payment instalments (index linked):

- . £4,620,000 on or before 30 September 2017
- . £6,522,000 on or before 31 July 2018 30 November 2018 (date to be amended in Deed of Variation if agreed by planning committee)
- . £142,000 on or before 31 December 2018.

The total of the instalments is £11,284,000. This exceeds the total amount stated in the definition by £34,000.

The original Committee Report recommending approval of the H/04753/14 application confirms that the total amount to be paid towards the Colindale Station Contribution is £11,250,000.

It appears there has been an error in the drafting of the S106, and therefore it is considered that the s106 should be amended to regularise this. The total amount for the Colindale Station Contribution would remain at £11,250,000, but the third instalment amount would be reduced accordingly by £34,000 (to £108,000).

Page 134 Add recommendation three:

Recommendation three:

That all parties to the agreement dated 23 December 2015 and any other person having a requisite interest in the site be invited to enter into a Deed of Variation, varying the extant section 106 Agreement dated 23 December 2015 at schedule E paragraph 1.1.3 as set out below:

“1.1.3. On or before 31 December 2018 the sum of ONE HUNDRED AND EIGHT THOUSAND POUNDS (£108,000.00)”.

Reason: to ensure that the instalment amounts add up to the Colindale Station Contribution amount as defined in the section 106 agreement.

18/1644/FUL

Montrose Playing Fields, HA8

Pages 179 – 180, 184

Amended to pages 179 – 180

An assessment of the public transport accessibility for Montrose Playing Field identifies a PTAL index of 1(Very Poor) -3 (Moderate). The PTAL index is due to the site being located away from the nearest bus stops, main road and tube stations. Although the rail network runs along the site it does not stop close to the site. The London Plan Policies 6.1 and 6.9 detail the requirements for car and cycle parking.

Under these policies it is not required that any parking provisions or cycle spaces are required given the overall park use. In addition, Barnet Local Plan also require that no car provisions be made, however some cycle parking spaces are required. The Highways Officer has commented that subject to the cycling facilities being secured via condition the development would be in accordance with the London Plan parking standards. A condition will be attached.

Table 1.1 (below) provides a more detailed look at the parking requirements for the development as set out under the London Plan.

Table 1.1

Requirement type	Note	Requirement	Total Proposed	Fail/Comply
Electric vehicles	<i>London Plan:</i> 20% of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future.	0	0	Complies
Disabled parking	Disabled parking spaces as per London Plan and Sport England publication 'Accessible Sports Facilities' dated 2010 (see London Plan Policy 6.15)	0	0	Complies
Cycle Parking for ancillary A3 use in Montrose Park.	Table 6.3 Cycle Parking minimum standards for A2-A5 uses- <ul style="list-style-type: none"> • Long stay from a threshold of 100 sqm: 1 space per 175 sqm • Short stay from a threshold of 100 s sqm: 1 space per cafes & restaurants 40 sqm 	3(Long stay) 7(short stay)	0	To be secured via condition.
Car parking requirements	None required for sports facilities.	0	0	Given that the development is within a park, car

				parking is not acceptable as it would disrupt the park environment.
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Amendment to condition 11: page 184

Prior to the occupation of the building hereby approved, details for the required provision of cycle parking/cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Such spaces shall be permanently retained in connection to the café use thereafter.

Reason: In the interests of promoting cycling as a mode of transport 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.

Additional Condition 13:

(a) Prior to the commencement of the development, details pertaining to the green roof hereby approved shall be submitted and approved in writing by the Local Planning Authority.

(b) The green roof shall be implemented in accordance with the details approved under this condition prior to the first occupation of the building. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Barnet Local Plan (2012) and Policy 7.15 of the London Plan (2016).

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