

Decisions of the West Area Planning Sub-Committee

12 June 2012

Members Present:-

Councillor Maureen Braun (Chairman)
Councillor Eva Greenspan (Vice-Chairman)

Councillor Jack Cohen	Councillor Hugh Rayner
Councillor Melvin Cohen	Councillor Agnes Slocombe
Councillor Claire Farrier	Councillor Darrel Yawitch
Councillor Sury Khatri	Councillor Zakia Zubairi (In place of Gill Sargeant)
Councillor John Marshall	

1. MINUTES

RESOLVED – That the decisions of the meeting held on 08 May 2012 and 22 May 2012 be signed as an accurate record.

2. ABSENCE OF MEMBERS

Apology of absence was received from Councillor Gill Sargeant and an apology of lateness from Councillor Jack Cohen.

3. DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS

The following declarations of interest were made:

Marks & Spencer Plc, 820-832 Finchley Road, London, NW11 6XL

Councillor John Marshall declared a personal and non-prejudicial interest as he is a shareholder of Marks and Spencer. Councillor Marshall took part in the consideration and voting process.

39A & 39B Flower Lane, London, NW7 2JN

Councillor John Marshall declared a personal and prejudicial interest as one of the objectors was known to him. Councillor Marshall withdrew from the meeting and took no part in the consideration and voting process.

Former 261, Hale Lane, Edgware, Middx, HA8 8NX

Councillor Darrel Yawitch declared a personal and prejudicial interest as he is a School Governor at the School. Councillor Yawitch withdrew from the meeting and took no part in the consideration and voting process.

58 Clifton Gardens, London, NW11 7EL

Councillor Melvin Cohen declared a personal and non-prejudicial interest as the site address neighbours his office of employment. Councillor Cohen took part in the consideration and voting process.

51 Uphill Road, London, NW7 4PR

Councillor Melvin Cohen declared a personal and prejudicial interest as one of the objectors was known to him.

100-102 Leaside Crescent, London, NW11 0LA

Prior to addressing the Sub-Committee, Ward Member Councillor Dean Cohen declared a personal and non-prejudicial interest as he is on the mailing list for the site. He noted that the applicant was known to him. Councillor Dean Cohen is not a Member or Substitute Member of the West Area Planning Sub-Committee and therefore was not able to contribute to the consideration or voting process.

4. PUBLIC QUESTION TIME

There were none.

5. MEMBERS' ITEM

There were none.

6. APPLICATIONS FOR PLANNING PERMISSION AND CONSENT UNDER THE ADVERTISEMENTS REGULATIONS

(a) 2 ELM WALK, LONDON, NW3 7UP - F/05087/11

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(b) 79 WEST HEATH ROAD, LONDON, NW3 7TH - F/01019/12

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(c) 77 GOLDERS GREEN ROAD, LONDON, NW11 8EN - F/00901/12

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(d) 77 GOLDERS GREEN ROAD, LONDON, NW11 8EN - F/00900/12

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(e) **26 BASING HILL, LONDON, NW11 8TH - F/01254/12**

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(f) **201 THE VALE, LONDON, NW11 8TN - F/01540/12**

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(g) **FORMER 261, HALE LANE, EDGWARE, MIDDX, HA8 8NX - H/04845/11**

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Gold and Mr Raffles who spoke against the application and a response from the applicant's representative.

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum.

(h) **DENVER COURT, 132 HENDON LANE, LONDON, N3 3RH - F/05103/10**

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(i) **20 BEECHWOOD AVENUE, LONDON, N3 3AX - F/00932/12**

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Domb and Mr Shear who spoke against the application.

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum.

(j) **FIRST, FIRST HOUSE, DOLLIS AVENUE, LONDON, N3 1TX - F/01103/12**

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Moss and Dr Bradley who spoke against the application.

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum

(k) 19 HIGHFIELD ROAD, LONDON, NW11 9LS - F/00272/12

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mrs Youle and Mrs Bialoglowski who spoke against the application and a response from the applicant representative.

RESOLVED TO Defer the application, to enable officers to discuss with the applicant an amendment to the Parking Order to restrict future occupiers from purchasing resident parking permits.

(l) 137 HENDON WAY, LONDON, NW2 2NA

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum.

(m) 11 GARRICK AVENUE, LONDON, NW11 9AR - F/00745/12

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(n) 100-102 LEESIDE CRESCENT, LONDON, NW11 0LA - F/01145/12

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Ryde, Mr Reifer, Ward Member Councillor Dean Cohen who spoke in support of the application and a response from the applicant.

RESOLVED TO APPROVE the application being a Reversal of officer's recommendation subject to the following conditions and informatives which were circulated to Members. The Sub-Committee adjourned for 10 minutes in order to consider this:

APPENDIX 1:

100-102 Leaside Crescent conditions and informatives:

CONDITIONS:

1- Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; 1203.1; 1203.2; 1203.3; 1203.4; 1203.5; 1203.8; 1203.9; 1203.10, Supporting information.

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

2- Time Limit on Full Permission

This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3- Specified Purpose

The ground floor and part first floor of the premises shall be used as a Synagogue and Kotel and other ancillary uses as shown on the hereby approved drawings and no other purpose (including any other purpose, including a separate school, crèche, nursery, health facility and any other type of non-orthodox Jewish facilities) in Class D1 of the Schedule to the Town and Country Planning Use Classes Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

4- Materials to Match

The materials to be used in the external surfaces of the building shall match those used in the existing building.

Reason: To safeguard the visual amenities of the building and the surrounding area.

5- Rear amenity space

The rear yard shall be used only by the residents of the flats and not used at any time in connection with the synagogue use.

Reason: To protect the amenities of neighbouring occupiers and provide sufficient outdoor amenity space for future residents

6- Parking:

Before any construction works start on site, turning space and parking

spaces 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.

7- Ventilation and Extraction Equipment - Details Required

Before any construction works start on site, details of any extraction and ventilation equipment shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences on site and implemented in accordance with agreed details.

Reason: To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

8- Noise from Site use as synagogue

Before the development hereby permitted commences on site, a scheme of proposed mitigation measures for noise from the synagogue shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

Reason: To ensure that the amenities of occupiers are not prejudiced by road traffic in the immediate surroundings.

9- Sound Insulation

The development shall be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from the synagogue as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

Before any construction works start on site, a scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties.

10- Noise from Site Plant

The level of noise emitted from the ventilation and extraction 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 any neighbouring property which existed at the time of this decision notice. 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 any existing neighbouring property at the time of this decision notice.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

11- Refuse

Before any construction works start on site, 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.

12- Maximum number of people on site

No more than 150 people shall be on site at any one time.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties.

INFORMATIVES:

1- Reasons for approval

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 London Plan (2011) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D5, H16, H17, H18, H27, GCS1, GCS1, CS1, ENV12, M11, M14.

Core Strategy (Examination in Public version) 2012:

CS NPPF, CS1, CS4, CS5, CS10.

Development Management Policies (Examination in Public version)2012:

DM01, DM02, DM03, DM13, DM17.

ii) The proposal is acceptable for the following reasons:

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the retention of the synagogue use and proposed residential flats would be in keeping with the character and appearance of the surrounding area. The proposal supports the use of a community and religious facility in the

borough. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. The proposals are acceptable on highways grounds.

2- Environmental Health

You are 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 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 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - 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) Department of transport : Railway Noise and insulation of dwellings.

(o) 58 CLIFTON GARDENS, LONDON, NW11 7EL - F/04906/11

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

(p) 45 HAMPSTEAD WAY, LONDON, NW11 7DY - F/01052/12

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum.

- (q) **MARKS & SPENCER PLC, 820-832 FINCHLEY ROAD, LONDON, NW11 6XL - F/01188/12**

The sub-Committee:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report.

- (r) **30 SUNNY GARDENS ROAD, LONDON, NW4 1RX - H/00088/12**

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Lewis who spoke in objection to the application.

RESOLVED TO DEFER the application to a future meeting in order for a site visit to take place.

- (s) **206 WATFORD WAY, LONDON, NW4 4UA - H/00735/12**

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

- (t) **FLAT 7, SUNRISE VIEW, THE RISE, LONDON, NW7 2LL - H/01059/12**

The sub-Committee:

RESOLVED TO DEFER the application to a future meeting as the transaction of business expired.

- (u) **51 UPHILL ROAD, LONDON, NW7 4PR - H/01208/12**

The Sub-Committee noted that as objectors withdrew their objections this application was withdrawn from the agenda and therefore not considered or determined by the Sub-Committee.

- (v) **39A & 39B FLOWER LANE, LONDON, NW7 2JN - H/00133/12**

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee having heard from Mr Boyle and Karin Harrison who spoke in objection to the application and a response from the applicants representative.

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum and subject to condition 16 as outlined below details to be brought back to the sub-Committee for approval.

Condition 16

Before the development hereby permitted commences on site, details of

external lighting shall be submitted and approved in writing by the Local Planning Authority. Any external lighting placed within the curtilage of the property hereafter shall be in accordance with these approved details and in accordance with plan no. A145_015_PL03 (Proposed External Lighting) and report "Environmental Appraisal of the lighting proposed at 39A and 39B Flower Lane" WSP - May 2012.

Reason: To ensure the proposal does not impact on the University of London Observatory.

(w) WINDSOR OPEN SPACE, WINDSOR ROAD, LONDON, N3 - TPO/00226/12/F

The sub-Committee noted the receipt of the additional information as set out in the tabled addendum.

The sub-Committee:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report and the addendum.

(x) KINGSGATE HOUSE, AMBERDEN AVENUE, FINCHLEY, LONDON N3 3DG - TPO/CA/411

The sub-Committee:

RESOLVED TO CONFIRM the tree preservation order as per the Officer's report and subject to the conditions as set out in the report.

(y) DALMORE, 81 WINNINGTON ROAD, LONDON N2 0TT - TPO/CA/414

The sub-Committee:

RESOLVED TO CONFIRM the tree preservation order as per the Officer's report and subject to the conditions as set out in the report.

7. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

There were no items the Chairman deemed were urgent.

The meeting finished at 10.30 pm

n.b at 10pm the Chairman extended the transaction of business to 10:30pm