

## **Decisions of the West Area Planning Sub-Committee**

10 October 2013

Members Present:-

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

Claire Farrier  
Sury Khatri  
John Marshall

Hugh Rayner  
Agnes Slocombe  
Darrel Yawitch

### **1. MINUTES**

That the minutes of the meeting held on 12 September 2013 be signed as an accurate record.

### **2. ABSENCE OF MEMBERS**

An apology for absence was received from Councillor Melvin Cohen who was absent on Mayoral duty, Councillor Rayner, Councillor Gill Sargeant and Councillor Jack Cohen.

### **3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS**

#### **The Pillar Hotel and Chapel, 19 Brent Street, London, NW4 2EU**

Councillor John Marshal declared a Non Pecuniary interest as the applicant was known to him. Councillor Marshal took part in the consideration and voting process.

Councillor Darrel Yawitch declared a Non Pecuniary interest as the applicant was known to him. Councillor Yawitch took part in the consideration and voting process.

Councillor Sury Khatri declared a Non Pecuniary interest as the applicant was known to him. Councillor Khatri took part in the consideration and voting process.

#### **R/O 3 -5 Corringway, London, NW11 7ED**

Councillor John Marshal declared a Non Pecuniary interest as the applicant was known to him. Councillor Marshal took part in the consideration and voting process

#### **Beit Shvidler Primary School, 261 Hale Lane, Edgware, Middx, HA8 8NX**

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

Councillor Lord Palmer declared a pecuniary interest as his granddaughter attends the school. Councillor Lord Palmer withdrew from the meeting and took no part in the consideration or voting process.

**23 Uphill Road, London, NW7 4RA**

Councillor Sury Khatri declared a Non Pecuniary interest as a local resident had contacted him in respect to the application. Councillor Khatri took part in the consideration and voting process.

**39 Woodland Way, London, NW7 2JP**

Councillor Sury Khatri declared a Non Pecuniary interest as an objector was known to him. Councillor Khatri took part in the consideration and voting process.

**55 The Burroughs, London, NW4 4AX - H/02616/13 and H/02927/13**

Councillor Sury Khatri declared a Non Pecuniary interest as a local resident had contacted him in respect to the application. Councillor Khatri took part in the consideration and voting process.

**4. PUBLIC QUESTION TIME**

There were none.

**5. MEMBERS' ITEM**

There were none

**6. 23 UPHILL ROAD, H03415**

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

The sub-Committee having heard from Ward Member, Councillor John Hart who spoke in support of the application and an oral submission from the applicant;

RESOLVED TO APPROVE the application which overturned the officer's recommendation for refusal. The application was therefore approved with the following conditions and informative:

1.) The species, size and siting of the replacement tree(s) shall be agreed in writing by the Local Planning Authority and the tree(s) shall be planted within 6 months (or as otherwise agreed in writing) of the commencement of the approved treatment (either wholly or in part). The replacement tree(s) shall be maintained and/or replaced as necessary until new trees are established in growth.

Reason:

To maintain the visual amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011.

2.) No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

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3) 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.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. Site plan; 408713/1; 408713.

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

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

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

6) Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevations, of the extensions hereby approved, facing no. 25 Uphill Road.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties.

Informatives:

1) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

2) The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £10,920.00 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £42,120.00 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing or charitable relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

## **7. 39 WOODLAND WAY, H03212**

The Sub-Committee having heard from Mrs Folkes who spoke in objection and a response from the applicant:

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

additional informative:

Informative: The applicant is advised that failure to implement this permission within three months of this permission may result in enforcement proceedings.

**8. RO 3-5 CORRINGWAY, F0384413**

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

**9. 51F STATION ROAD, LONDON, NW4 4PN, H0123613**

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, the addendum and the following informative:

The applicant is advised that any further applications for development on this site are unlikely to be considered favourably.

**10. 55 THE BURROUGHS, H02616**

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.

**11. 55 THE BURROUGHS, H02927**

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.

**12. 58 CORRINGHAM ROAD, TPO0041713F**

The Sub-Committee noted that this item be withdrawn from the agenda by Officers.

**13. 261 HALE LANE, H03319**

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

The Sub-Committee having heard from Mrs Raffles who spoke in objection 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.

**14. CARMELITES, F0343313**

The Sub-Committee noted that this item be withdrawn from the agenda by Officers.

**15. THE PILLAR, H03781**

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

The Sub-Committee having heard from Mr Skelton and Mr Sudwarts who spoke in objection.

RESOLVED TO REFUSE the application which overturned the officer's recommendation for approval. The Sub-Committee refused the application for the following reasons:

The vehicular access, due to its siting at the end of a residential cul-de-sac would result in additional comings and goings, detrimental to the character of the area and the residential amenities of occupiers or neighbouring residential properties, contrary to policy CS5 of the Barnet Local Plan Core Strategy (2012) and policy DM01 of the Barnet Development Management DPD (2012).

Informatives:

1) The plans accompanying this application are: Site location plan RG LP1, RG 101A, RG 102.

2) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the Council prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage proactively with the Council to discuss possible solutions to the refusal reasons

**16. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT**

There were no urgent items.

The meeting finished at 8.31 pm