

Decisions of the East Area Planning Sub-Committee

9 January 2013

Members Present:-

Councillor Andreas Tambourides (Chairman)

Councillor Bridget Perry (Vice-Chairman)

Councillor Arjun Mitra

Councillor Barry Rawlings

Councillor

Alan Schneiderman

Councillor Stephen Sowerby

Councillor Andrew Strongolou

Councillor Joanna Tambourides

Councillor Jim Tierney

Councillor Richard Cornelius (In place of

Councillor Alison Cornelius)

Apologies for Absence

Councillor Alison Cornelius

1. MINUTES

RESOLVED – That the minutes of the meeting held on the 5 December 2012 were approved as a correct record.

2. DECLARATION OF MEMBERS PERSONAL AND PREJUDICIAL INTERESTS

Councillor :	Agenda Item(s) :	Interest :
Richard Cornelius	Item 10 - -F/03677/12 44 Lincoln Ward Road, London, N2 9DL	One of the speakers on this item is known to Councillor Cornelius. Councillor Cornelius withdrew from the room during the discussion and voting of this item.

3. PUBLIC QUESTION TIME (IF ANY)

There were none.

4. MEMBERS' ITEMS (IF ANY)

There were none.

5. 91 BRUNSWICK CRESCENT, LONDON, N11 1EE - B/03064/12

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 (i) the conditions set out in the report (ii) the addendum.

6. 50A FRIERN BARNET LANE, LONDON, N11 3NA - B/03020/12

The sub-Committee noted 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 (i) the conditions set out in the report and (ii) to the addendum.

7. FELINE COURT, 23 CAT HILL, BARNET, HERTS, EN4 8HF - B/04062/12

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

The sub-Committee having heard from Mr Ian Bartrum and Councillor Robert Rams (Ward Councillor) speaking in support of the application and the applicant's response;

RESOLVED TO APPROVE (reversal of the Officers recommendations) the application subject to the completion of unilateral undertaking

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries)** £18,435.00
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial)** £1,112.00
A contribution towards Library Facilities and Resources in the borough
- 5 **Health** £8,824.00
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement** £1,418.55
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: B/04062/12 under delegated powers subject to the following conditions and informatives:

CONDITIONS:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 389111/1, 389111/2A, 389111/3B, 389111/4D, 389111/5B (received 15 November 2012).

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. 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. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the building and surrounding area in accordance with policies dm01 of the adopted Barnet Development Management Policies DPD (2012), CS NPPF and cs11 of the Adopted Barnet Core Strategy DPD (2012).

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies dm01 of the adopted barnet development management policies dpd (2012), cs nppf and cs1 of the adopted barnet core strategy dpd (2012) and 1.1, 7.4, 7.5 and 7.6 of the london plan 2011.

5. Before the development hereby permitted is occupied the parking spaces and layout shown on Drawing No. 389111/3B shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

to ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect

the amenities of the area in accordance with policies dm17 of the adopted barnet development management policies dpd (2012) and 6.1, 6.2 and 6.3 of the london plan 2011.

6. All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

7. The new parking spaces shall be used solely by the future occupiers of the hereby approved flats.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies dm17 of the adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

8. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

9. 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.

Reason:

To ensure a satisfactory appearance to the development 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.

10. 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 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.

INFORMATIVES

1. 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 Mayor's London Plan: July 2011 and the Adopted Barnet Core Strategy (2012) and Development Management Policies DPD (2012). In particular the following policies are relevant:

Core Strategy (Adopted) 2012: CS NPPF, CS1, CS5, CS10, CS11 and CS15.

Development Management Policies (Adopted) 2012: DM01, DM02, and DM17.

- ii) The proposal is acceptable for the following reason(s): The proposed development is not considered to have an adverse impact on the amenities of the occupants of any neighbouring property. The proposal would not adversely affect the character and appearance of the building and the wider locality, and would provide contributions toward essential facilities.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

- iii) 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 Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £19,530.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief 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.

You will be sent a 'Liability Notice' that will provide 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, this 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 statutory requirements, such requirements will all be set out in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk.

3. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

4. Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme whereby general standards of work are raised and the condition and safety of the borough streets and pavements improved.

RECOMMENDATION III

That if an agreement has not been completed by 29/03/2013, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application B/04062/12 under delegated powers for the following reason:

1. The development does not include a formal undertaking to meet the extra education, health, libraries services and amendment to the traffic costs together with associated monitoring costs arising as a result of the development, contrary to policies CS9, CS10, CS15 and DM17 of the adopted Local Plan Core Strategy 2012 and Supplementary Planning Document- Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries and Supplementary Planning Document- Contributions to Health Facilities.

8. 44 LINCOLN ROAD, LONDON, N2 9DL - F/03677/12

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

The sub-Committee having heard from Mrs Anna Girling and Ms Teresa Harrison objecting the application;

RESOLVED TO REFUSE (reversal of the Officers recommendations) the application for the following reason;

1. The proposed extension by reason of its bulk, mass and depth along the side boundary with 46 Lincoln Road would result in an overbearing feature detrimental to the residential amenity of occupiers of 46 Lincoln Road contrary to policy DM01 of the Barnet Adopted Development Management DPD (2012) and Design Guidance 5 (Extension to houses).

INFORMATIVE

1. The plan accompanying this application are: Site and Location Plan - 784 / 10; Plan No's: 784 / 01 Rev C; 784 / 02 Rev E; 784 / 11 Rev B

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 proposals do not comply with the relevant policies and guidance as set out in the reasons for refusal.

Amendments were suggested and obtained during the processing of the application.

If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

9. STEEPWAYS, KING EDWARD ROAD, BARNET, HERTS, EN5 5AW - B/03377/12

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

The sub-Committee having heard from Mr David Clements and Mr Edward Calloway objecting the application and the applicant's response;

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

10. 15A PYECOMBE CORNER, LONDON, N12 7AJ - B/03745/12

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

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

11. BARNET COURT HOUSE, HIGH STREET, BARNET, HERTS, EN5 5UJ - B/03009/12

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

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

The meeting finished at 8.58 pm