

Decisions of the Planning and Environment Committee

17 October 2013

Members Present:-

Councillor Wendy Prentice (Chairman)
Councillor Maureen Braun (Vice-Chairman)

Councillor Barry Rawlings	Councillor Jim Tierney
Councillor Mark Shooter	Councillor Sury Khatri (In place of John Marshall)
Councillor Agnes Slocombe	Councillor Graham Old (In place of Stephen Sowerby)
Councillor Andreas Tambourides	Councillor Lord Palmer (In place of Jack Cohen)

Apologies for Absence

Councillor Jack Cohen	Councillor Stephen Sowerby
Councillor John Marshall	

1. MINUTES

That the minutes of the meeting held on the 11 September 2013 be approved as a correct record.

2. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None were declared.

3. PUBLIC QUESTION TIME (IF ANY)

There were none.

4. MEMBERS ITEM (IF ANY)

There were none.

5. REPORT OF THE ACTING ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT

6. FORMER CHANDOS LODGE, BROADHEAD STRAND, LONDON, NW9 5PY - H/03826/13

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

The Committee having heard from Mr Arshid Moti a local resident and the Catalyst Housing Planning Manager;

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

7. WATLING CLUB, DRYFIELD ROAD, EDGWARE, MIDDX, HA8 9JU - H/02450/13

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

The Committee having heard from Mr Clive Cohen, Chairman of the London Wildlife Trust and the applicant's representative;

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

8. FULLER STREET GARAGES, HENDON, LONDON NW4 - H/03634/13

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

The Committee having heard from Mr Rajesh Patel, speaking on behalf of Fuller Road residents and Ms Dion Sharp from Barnet Homes;

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

9. 213-227 GREAT NORTH WAY, LONDON, NW4 1PN - F/03042/13

The Committee noted the receipt of the additional information set out in the table addendum.

The Committee having heard from Peter Davis, a local resident and Mr Pravin Patel the applicant's representative;

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

1. The proposed buildings would, by reason of their design, size, height, bulk, mass, layout and density, result in a cramped form of development and an overdevelopment of the site which would be detrimental to the character and appearance of the surrounding area contrary to policies 3.4, 3.5, 7.4, 7.5 and 7.6 of the London Plan, policy CS1 and CS5 of the Local Plan Core Strategy DPD (Adopted) 2012, policies DM01 of the Local Plan Development Management Policies DPD (Adopted) 2012 and the adopted Barnet Residential Design Guidance Supplementary Planning Document (2013)
2. The proposed development by reason of its density, associated comings and goings and general increase in activity on site would cause harm to the residential amenity of neighbouring occupiers contrary to policies DM01 and DM04 of the Local Plan Development Management Policies DPD (Adopted) 2012 and the

adopted Sustainable Design and Construction Supplementary Planning Document (2013).

3. The proposed development does not include a formal undertaking to meet the required costs required towards improvements to the pedestrian environment in the vicinity of the site, the monitoring of the travel plan and therefore would not address the highways impacts of the development, contrary to policy CS9 of the Local Plan Core Strategy DPD (Adopted) 2012 and policy DM17 of the Local Plan Development Management Policies DPD (Adopted) 2012 and the adopted "Planning Obligations" Supplementary Planning Document.
4. The development does not include a formal undertaking to provide a contribution to affordable housing to meet the demand for such housing in the area contrary to policy 3.13 of the London Plan, policies CS4, CS10 and CS11 of the Local Plan Core Strategy DPD (Adopted) 2012 and DM10 of the Local Plan Development Management Policies DPD (Adopted) 2012; and the adopted Supplementary Planning Documents "Affordable Housing" and "Planning Obligations".

Informatives:

- 1 The plans accompanying this application are:
 - Drawings 001, 002, 003 , 004 , 005, 006, 007 , 008, 009, 010, 011, 012 (dated 22 August 2013), 013, 014, 015, 016
 - Design and Access Statement
 - Arboricultural Impact Assessment Report
 - Archaeological Desk Based Assessment
 - Ecology Report
 - Bat Inspection
 - Transport Assessment
 - Travel Plan
 - Energy Statement
 - Sustainability Statement
 - Flood Risk Assessment
 - Noise Assessment
 - External Building Fabric Report
 - Environmental Risk Assessment
 - Air Quality Assessment
 - Affordable Housing Viability Appraisal
 - Planning Statement
 - Email from Barry Jones received 22 August 2013 and accompanying drawings 012 dated 21 August 2013
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 sought formal pre-application advice which was provided. 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.

3. This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to the appeal process itself:

The Mayor of London adopted a Community Infrastructure Levy (CIL) charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for a £0 per sq m rate for education and health developments. This planning application was assessed as liable for a £90,177.50 payment under Mayoral CIL at this time.

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 were set at a rate of £0 per sq m. This planning application was assessed as liable for a £231,997.50 payment under Barnet CIL at this time.

Liability for CIL is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

If Affordable Housing Relief or Charitable Relief applies to this development, 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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: cil@barnet.gov.uk.

10. 931 HIGH ROAD, NORTH FINCHLEY, LONDON, N12 8QR - F/02217/13

Consideration of this item was deferred to the next meeting of the Planning and Environment Committee.

11. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 8.35 pm