

Decisions of the West Area Planning Sub-Committee

6 March 2014

Members Present:-

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

Jack Cohen
Claire Farrier
Sury Khatri
John Marshall

Hugh Rayner
Agnes Slocombe
Gill Sargeant
Graham Old (In place of Melvin
Cohen)

1. MINUTES

That the minutes of the meeting held on 06 February 2014 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 and from Councillor Darrel Yawitch.

3. DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS

1-3 Bovingdon Lane, London, NW9 5WJ

Councillor Hugh Rayner declared a pecuniary interest as the location of the application was close to his business address. Councillor Rayner withdrew from the meeting and took no part in 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

7. 713 FINCHLEY ROAD

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

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 with the flowing amendment to recommendation 1.

That the contribution to, 10 Open spaces should read £45,000

8. LAND TO THE REAR OF TANGLE TREE CLOSE, LONDON, N3

The Sub-Committee having heard from Mr Malyall and Mrs Fitzgerald who spoke in objection and a response from the applicant's agent:

RESOLVED TO:

REFUSED the application which was a reversal of Officer's recommendation as outlined in the report for the following reason:

- In the absence of suitable arrangements to secure the provision of the proposed public open space, the development would not deliver the community benefits required by Barnet Adopted Development Management policy DM10 and the Affordable Housing Supplementary Planning Document.
- The proposed house, by reason of its siting and design would result in an incongruous addition to the site to the detriment of the visual openness and general character of the area contrary to Barnet Adopted Development Management policy DM01 and the Residential Design Guidance DPD.

Informatives:

1. The plans accompanying this application are: F811/PL/01, F811/PL/02, F811/PL/03, F811/PL/04, F811/PL/05, F811/PL/06, F811/PL/07, F811/PL/08, ADAS Preliminary Ecological Assessment -September 2013, ADAS Reptile Survey Report - September 2013, Supporting Planning Statement, Affordable Housing Statement and Viability Assessment, Design and Access Statement, PPG24 Noise Survey Assessment PMS2551/PMS/25374, Tree Survey Arboricultural Impact Assessment.

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.

The Council will continue 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 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 £13,825 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 £53,325 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.

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 any appeal being allowed, please contact us: cil@barnet.gov.uk.

9. SITE FORMERLY KNOWN AS RYLSTONE HOLDERS HILL CRESCENT

The sub-Committee having considered the application:

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

10. GROUND FLOOR FLAT 6 MANOR VIEW

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

The Sub-Committee having heard from Dr Bryan and Ms Mellado-Chivite who spoke in objection and a response from the applicant's agent:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report, the addendum including the following additional conditional and informative:

Before the extension hereby permitted is occupied the proposed new ground floor window(s) to the side elevation facing No.4 Manor View shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

Additional informative:

2. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

11. 1-3 BOVINGDON LANE, LONDON, NW9 5WJ

Following the presentation delivered by the Area Planning Manager the Sub-Committee agreed to defer the item to a future meeting in order for a site visit to take place.

12. MIDDLESEX UNIVERSITY

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

The Sub-Committee having heard from Mr Ruse and Ms Dobson who spoke in objection and a response from the applicant's agent:

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions as set out in the report, the addendum including the following amendment to condition 4:

The floodlights hereby approved shall only be used between the hours of 08:00 and 21.30 on Mondays to Saturdays and 08:00 to 19:00 on Sundays and Bank Holidays.

13. 4 SPANIARDS END

This item was withdrawn from the agenda in order for officers to conduct a further consultation.

14. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

There were no urgent items.

The meeting finished at 9:30pm