

Decisions of the Finchley and Golders Green Area Planning Committee

3 September 2014

Members Present:-

Councillor Eva Greenspan (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Jack Cohen
Councillor Arjun Mitra
Councillor
Alan Schneiderman

Councillor Melvin Cohen
Councillor Jim Tierney

Also in attendance

Apologies for Absence

1. MINUTES OF LAST MEETING

The minutes of the meeting of 28 July 2014 were approved as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

There were none.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

Members declared the following interests:

Councillor	Agenda item	Interest
Arjun Mitra	Gloucester House, 150 Woodside Lane, London N12 8TP (B/00551/14)	Pecuniary as Councillor Mitra's mother owns a nursery 3 miles away. Councillor Mitra noted he would leave the room for consideration of this item.
Arjun Mitra, Alan Schneiderman and Jim Tierney	The Castle, 452 Finchley Road, London NW11 8DG	Non-pecuniary, as the Councillors previously campaigned for the premises to be retained as a pub.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

5. PUBLIC COMMENTS AND QUESTIONS (IF ANY)

There were none.

6. MEMBERS' ITEMS (IF ANY)

There were none.

7. ERUV

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

The Committee heard oral representations from Mr Spencer Levine and Ms Sue Wilder, objecting to the application, and the applicant.

Votes were recorded as follows:

Approval	7
Against	0
Abstentions	0

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

8. 20 PARK AVENUE, LONDON, NW11 7SJ - F/02989/14

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

Votes were recorded as follows:

Approval	5
Against	1
Abstentions	1

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

9. BRONDESBURY CRICKET TENNIS AND SQUASH CLUB, 5A HARMAN DRIVE, LONDON, NW2 2EB - F/02788/14

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

The Committee heard oral representations from Mr Peter Bellman and Mr Graham Barber objecting to the application, and the applicant.

Following discussion, the Chairperson;

RESOLVED to refer the application to the Planning Committee for decision.

10. THE CASTLE, 452 FINCHLEY ROAD, LONDON, NW11 8DG - F/03607/14

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

Councillor Arjun Mittra, Councillor Alan Schneiderman and Councillor Jim Tierney abstained from voting on the application.

Votes were recorded as follows:

Approval	3
Against	1
Abstentions	3

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

11. 27-29 HERMITAGE LANE, LONDON, NW2 2EY - F/02492/14

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

The Committee heard oral representations from Mr Huang objecting to the application, and the applicant.

Votes were recorded as follows:

Approval	4
Against	1
Abstentions	2

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

12. 23-25 WOODSTOCK ROAD, LONDON, NW11 8ES - F/00683/14

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

The Committee heard oral representations from Dr Bernadette Loughnan objecting to the application, and the applicant.

Votes were recorded as follows:

Approval	3
Against	4

Abstentions	0
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RESOLVED TO REFUSE the application (being a reversal of Officer's recommendations) for the following reasons:

Reasons for refusal:

1. The proposed development, by reason of the number of units and increased floorspace would result in an overdevelopment of the site to the detriment of the character of the street contrary to policy DM01 of the Barnet Local Plan Development Management Policies (Adopted) 2012 and the Residential Design Guidance SPD 2013.
2. The units, by reason of their size would provide sub-standard accommodation to the detriment of the amenity of future occupiers contrary to policy DM01 and DM02 of the Barnet Local Plan Development Management Policies (Adopted) 2012 and the Sustainable Design and Construction SPD 2013.
3. The development would require a section 106 agreement and no formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting the costs of amending the traffic order contrary to DM17 of the Local Plan Development Management Policies (Adopted) 2012; and contrary to Policies CS9 of the Local Plan Core Strategy (Adopted) 2012.

Informatives:

1. The plans accompanying this application are: Site location plan, 654-S01, 654-SS.01A, 654-SS.02A, 654-GA.01A, 654-GA.02A, 654-GA.03A, 654-GA.04A, 654-GA.05A, 654-GA.06A, 654-GA.07A, 654-GA.08A, 654-GA.09A, 654-GA.10A, 654-GA.11A, 654-SU.01, 654-SU.02, 654-SU.03, 654-SU.04, 654-SU.05, 654-SU.06, 654-SU.07, 654-SU.08, 654-SU.09, Code for Sustainable Homes, Planning Statement, Schedule of Accommodation.
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 £20,213.20 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 £77,965.20 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.

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.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil for further details on exemption and relief.

13. HERMES HOUSE, 1 RIDGE ROAD, LONDON, NW2 2QR - F/03313/14

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

Votes were recorded as follows:

Approval	7
Against	0
Abstentions	0

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

14. GROUND FLOOR FLAT, 69 PARK HALL ROAD, LONDON, N2 9PY - F/03911/14

This item was withdrawn from the agenda at the request of officers.

15. 67 BALLARDS LANE, LONDON, N3 1XP - F/03055/14

Votes were recorded as follows:

Approval	4
Against	0
Abstentions	3

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

16. 57A NETHER STREET, LONDON, N12 7NP - F/02487/14

Councillor Jim Tierney moved that consideration of the application be deferred until the next meeting of the Finchley and Golders Green Area Planning Committee in October, in order to enable residents to review amended plans.

Councillor Arjun Mittra seconded the motion.

The votes were recorded as follows:

For	4
Against	1

Abstentions	2
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The motion was carried.

RESOLVED, to defer consideration of the application be deferred until the next meeting of the Finchley and Golders Green Area Planning Committee in October.

17. CHALGROVE PRIMARY SCHOOL, CHALGROVE GARDENS, LONDON, N3 3PL - F/03457/14

Votes were recorded as follows:

Approval	7
Against	0
Abstentions	0

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

18. GLOUCESTER HOUSE, 150 WOODSIDE LANE, LONDON, N12 8TP - B/00551/14

Councillor Arjun Mittra absented himself from the meeting for consideration of this item.

Votes were recorded as follows:

Approval	4
Against	2
Abstentions	0

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

19. ST JUDES CHURCH ROOMS, CENTRAL SQUARE, LONDON, NW11 7AH - F/03595/14

Votes were recorded as follows:

Approval	7
Against	0
Abstentions	0

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

20. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.19 pm