

Decisions of the Hendon Area Planning Committee

10 May 2016

Members Present:-

Councillor Maureen Braun (Chairman)
Councillor Brian Gordon (Vice-Chairman)

Councillor Claire Farrier
Councillor Sury Khatri
Councillor Hugh Rayner

Councillor Gill Sargeant
Councillor Agnes Slocombe

1. MINUTES

Resolved that the minutes of the previous meeting held on 10th March 2016 be recorded as correct.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

Councillor	Item	Nature of Interest	Details
Sury Khatri	Minute Item 7 (1 Devonshire Crescent)	Pecuniary	That the Councillor Khatri has been consulted on the planning application as a neighbour consultee and will utilise his right to speak at the committee in accordance with sections 3 and 5 of the Member's Planning Code of Practice within the Council Constitution, which advises that he leaves the room in order not to participate in discussion or vote on the item.
Sury Khatri	Minute item 12 (16 Tretawn Gardens)	Non-Pecuniary	That he has met the registered speaker for item 12 at a councillor surgery.

4. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

5. MEMBERS' ITEMS (IF ANY)

None.

6. 107 STATION ROAD LONDON NW4 4NT

The Chairman announced that this application had been withdrawn from the Committee prior to the meeting.

7. 1 DEVONSHIRE CRESCENT LONDON NW7 1DN

Following presentation of the planning officer's report and addendum, the Committee heard a representation from Councillor Sury Khatri, who declared a pecuniary interest in the item as a neighbour consulted on the planning application and then immediately left the room. Committee also received a representation from Councillor John Hart against the proposal.

Following discussion on the item, the Committee agreed to defer the decision pending a site visit.

Deferral of the decision was proposed by Councillor Farrier and seconded by Councillor Slocombe. The motion to defer was then carried unanimously.

8. EXEGEN HOUSE 1 NEW BRENT STREET LONDON NW4 2DF

The Committee considered the planning officer's report. Oral representations were received from Mr Rami Kanzen, the applicant, who informed committee that the previous application for a 3 storey extension was refused and this new application was substantially smaller.

Members discussed the item noting that there had been no objections. Following discussion of the item, Committee **RESOLVED TO APPROVE** the application overturning the officer's recommendation for the reasons given below and to agree conditions in liaison with the Chairman following the meeting:

Condition

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Existing: no. PL 11 Rev A, PL 13 Rev A, PL 17 Rev A, PL 15 Rev A, PL 9 Rev A, PL 2 Rev A, PL 4 Rev A, PL 6 Rev A (received: 19/01/16)
 - Proposed: no. PL 12 Rev A, PL 14 Rev A, PL 16 Rev A, PL 10 Rev A, PL 3 Rev A, PL 5 Rev A, PL 7 Rev A, PL 8 Rev A (received: 19/01/16)

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 The materials to be used in the external surfaces of the building(s) and the fenestration shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 6 The floorspace hereby approved for purposes falling within Use Class B1 shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and in the interests of the re-provision of employment generating floorspace in accordance with policy DM14 of the Barnet Local Plan.

- 7 Prior to the commencement of development, a construction method statement shall be submitted to and approved in writing by the Local Planning Authority.
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements to the site and security procedures.
 - ii. site preparation and construction stages of the development
 - iii. details of provisions for recycling of materials, the provision close to the site of a storage delivery area for all plant, site huts, site facilities and materials.
 - iv. the methods to be used and the measures to be undertaken to control the emission of dust noise and vibration arising from construction works.

- v. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance.
- vi. noise mitigation measures for all plant and processors.
- vii. details of contractors compound and car parking arrangements.
- viii. details of interim car parking management arrangements for the duration of construction.
- ix. details of a community liaison contact for the duration of all works associated with the development

Reason: To ensure that the construction of the proposed development does not prejudice the amenities of adjoining properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan Development Management Policies DPD (2012).

8. All windows in the northeastern elevation of the proposed development facing the rear of 79 New Brent Street shall be fitted with obscured glazing which shall be retained as such permanently thereafter.

Reason: Through the prevention of overlooking, protecting the privacy of existing occupiers of the residential units at 79 Brent Street, thereby ensuring that the development does not prejudice the amenities of adjoining properties in accordance with policies CS1, CS NPPF and DM01 of the Barnet Local Plan Development Management Policies DPD.

- 9 No new openings shall be created in the northeastern or southeastern elevations of the proposed development facing rear of 79 Brent Street.

Reason: Through the prevention of overlooking, protecting the privacy of existing occupiers of the residential units at 79 Brent Street, thereby ensuring that the development does not prejudice the amenities of adjoining properties in accordance with policies CS1, CS NPPF and DM01 of the Barnet Local Plan Development Management Policies DPD.

- 10 The roof of the proposed development shall not be used as a terrace or amenity area and shall only be accessible for maintenance purposes.

Reason: Through the prevention of overlooking, protecting the privacy of existing occupiers of the residential units at 79 Brent Street, thereby ensuring that the development does not prejudice the amenities of adjoining properties in accordance with policies CS1, CS NPPF and DM01 of the Barnet Local Plan Development Management Policies DPD.

- 11 Prior to the commencement of use of the development hereby approved, details of the storage for the additional waste requirements shall be submitted to and approved in writing to the Local Planning Authority. The storage facilities shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 12 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the construction of the proposed development does not prejudice the amenities of occupiers of adjoining properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

Votes were as follows:

For (in favour of the officer recommendation)	2
Against	4
Abstain	1

A Motion was moved to approve the application by Councillor Farrier and seconded by Councillor Slocombe.

Reasons were:

- Reasons for refusal do not stand.
- There were no objections to the planning application.
- Employment will be retained and generated.

Votes were as follows:

For (in favour of the officer's recommendation)	0
Against	4
Abstain	3

9. 71-73 CHURCH ROAD LONDON NW4 4DP

The Committee considered the planning Officer's report and the addendum which contained correct the sizes of the units to be listed as 35m2 and 34.8 m2.

Committee heard representations from Miss Lea Brand, an objector to the planning application on parking grounds.

Following consideration of the item, Members **RESOLVED TO APPROVE**, the application as per the officer's recommendation and with an additional condition as follows:

Votes were as follows:

For	4
Against	3
Abstain	0

A motion was moved to apply a condition restricting the issue of parking permits to occupiers of the development. The Motion moved by Councillor Rayner and seconded by Councillor Braun.

Votes were as follows:

For	5
Against	1
Abstain	1

10. 129 MILLWAY LONDON NW7 3JL (16/0317/FUL) ERECTION OF A TWO-STOREY DWELLING HOUSE

Following presentation of the planning officer's report and addendum, the committee heard a representation from the applicant Mr Oliver Bruh.

Following discussion, of the item, Committee **RESOLVED to REFUSE** the application, overturning the officer's recommendation for the following reasons:

Reason

The proposal by virtue of its size, scale, bulk and massing including its excessive footprint would form an overly dominant form of development that would be out of keeping with and detrimental to the character and appearance of the area. The proposal would therefore be contrary to the National Planning Policy Framework 2012, Policy DM01 of the Adopted Development Management Policies DPD 2012 and the Council's Residential Design Guidance Supplementary Planning Document 2013.

Votes were as follows:

For (in favour of officer recommendation)	3
Against	4
Abstain	0

Members moved a motion, proposed by Councillor Farrier and seconded by Councillor Khatri, to vote to refuse the planning application.

Votes were as follows:

For	4
Against	3
Abstain	0

Reasons were outlined as follows:

- Size and Bulk

- Out of keeping

11. 129 MILLWAY LONDON NW7 3JL (16/0318/FUL) ERECTION OF 2 NO, TWO STOREY SEMI-DETACHED HOUSES

Following presentation of the officer's report and addendum, oral representations were heard from Mr Dean Goodman, representative of a neighbour objector and the applicant Mr Oliver Bruh.

Following discussion, Members **RESOLVED to APPROVE** the application as per the officer recommendation and additional conditions as outlined in the addendum as follows:

Condition

Before the development hereby permitted is occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse containers where applicable, together with a satisfactory point of collection from the front of the property, shall be submitted to and approved in writing by the local planning authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

Votes were as follows:

For	3
Against	3
Abstain	1

The Chairman used her casting vote in favour approval. The vote for approval was therefore carried.

12. 16 TRETAWN GARDENS LONDON NW7 4NR

Members were presented with the planning officer's report and received oral representations from Mr John Canavan and Mr Roger Huby, neighbours who objected to the application, and Councillor John Hart. A representation was also received from Ms Caroline Apcar, the applicant's agent.

Members discussed the scheme and **RESOLVED to APPROVE** the application.

Votes were as follows:-

For	4
Against	3
Abstain	0

13. 26 TRETAWN GARDENS LONDON NW7 4NR

Following presentation of the planning officer’s report, the Committee received an oral representations from Councillor John Hart objecting to the application and Mr Alex Yearsley, the applicant’s agent.

Following discussion by the committee, it was **RESOLVED to APPROVE** the application. Votes were as follows:

For	4
Against	2
Abstain	1

14. 57 FOSCOTE ROAD LONDON NW4 3SE

The planning application was presented to Committee for consideration. Oral representations were received from Mr Harihar Patel who objected to the application and Mr David Tamir, the applicant.

Members discussed the item and **RESOLVED to APPROVE** the application as per the officer recommendation and with the recommendation that the property which is a house in multiple occupation, is referred to Housing for an Housing Standards Review.

Votes were as follows:-

For	5
Against	1
Abstain	1

15. 100 SEVINGTON ROAD LONDON NW4 3RS

Members were presented with the planning officer’s report and heard a written representation from Ms M Mchale who, after registering to speak, was not able to attend in person but who had the Chairman’s agreement to submit her objection in writing, and read out on her behalf by the Committee Chairman. An oral representation was also heard from the applicant’s agent, Mr Gurvitz.

Following discussion, the Committee **RESOLVED to APPROVE** the application in accordance with the officer recommendation and the approved plans.

Votes were as follows:

For	6
Against	0

Abstain	1
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16. 91 AUDLEY ROAD LONDON NW4 3EU

Following presentation of the planning officer's report, Committee received a representation from Mr Ravi Shekh, the applicant.

The Committee discussed the scheme and **RESOLVED TO APPROVE** the application and voted **unanimously in favour** of the planning application.

Date of the next meeting

Wednesday 15 June, preceded on 14 June at 9.30am by the site visit.

Councillor Gordon, as Committee Vice-Chairman extended his thanks and those of the whole committee to Councillor Braun for her work as Chairman over the last municipal year.

The meeting finished at 9.58 pm