

Decisions of the Chipping Barnet Area Planning Committee

28 July 2014

Members Present:-

Councillor Wendy Prentice (Chairman)

Councillor Laurie Williams
Councillor Kathy Levine
Councillor Alison Cornelius

Councillor Barry Rawlings
Councillor Amy Trevethan (In place of Tim Roberts)
Councillor Brian Salinger (In place of Stephen Sowerby)

Also in attendance

Apologies for Absence

Councillor Stephen Sowerby Councillor Tim Roberts

1. ABSENCE OF MEMBERS (IF ANY)

Apologies were received from Councillor Stephen Sowerby and Councillor Tim Roberts. Councillor Brian Salinger and Councillor Amy Trevethan attended as substitutes.

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

Members declared the following interests:

	Agenda Item	Interest
Brian Salinger	6 (32 The Ridgeway, London N11 3LJ)	Pecuniary interest as he is the applicant.
All	6 (32 The Ridgeway, London N11 3LJ)	Non-pecuniary interest as the applicant is known to all Councillors.
All	12 (Arthur House, Barnet Lane, London N20 8AP)	Non-pecuniary interest as one of the objectors is known to all Councillors.
Alison Cornelius	11 (30 West Hill Way, London N20 8QP)	Non-pecuniary interest as one of the speakers is known to her. Councillor Cornelius noted she would absent herself for the consideration of this item.

3. PUBLIC QUESTION TIME (IF ANY)

There were none.

4. MEMBERS' ITEMS (IF ANY)

There were none.

5. 4 BEACONSFIELD ROAD, LONDON, N11 3AB - B/06071/13

The Committee heard representations from Mr Gavin Robertson and a response from the applicant Ms Carolyn Apcar, following which it

RESOLVED TO APPROVE the application as per the Officer's report and subject to the conditions and informative set out in the report and an additional condition as follows:

The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

Votes were recorded as follows:

In favour: 7

Against: 0

Abstentions: 0

6. 32 THE RIDGEWAY, LONDON, N11 3LJ - B/01790/14

Councillor Brian Salinger left the room for consideration of this item, and did not participate in the vote.

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

Votes were recorded as follows:

In favour: 6

Against: 0

Abstentions: 0

7. 67 YORK ROAD, BARNET, HERTS, EN5 1LN - B/02539/14

The Committee having heard oral representations from Mr Mrs Alison Mihail;

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

Votes were recorded as follows:

In favour: 7
Against: 0
Abstentions: 0

8. 1412-1420 HIGH ROAD, LONDON, N20 9BH - B/01561/13

The Committee heard representations from Mr Robert Newton and a response from the applicant.

Following discussion, the Chairperson;

RESOLVED to refer the application to the Planning Committee for decision and requested officers to provide an updated report to that meeting.

9. 21 RIDGEVIEW ROAD, LONDON, N20 0HH - B/03567/13

The Committee having heard oral representations from Mr Robert Newton Mr Mark Stefanicki, and a response from the applicant;

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

Votes were recorded as follows:

In favour: 5
Against: 1
Abstentions: 1

10. 49 CHIDDINGFOLD, LONDON, N12 7EX - B/01406/14

Councillor Richard Cornelius provided a comment on the application. The Committee;

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reason:

The proposed single storey rear extension would by reason of its size and siting would result in a cramped overdevelopment of the site and be overbearing and visually obtrusive detrimental to the character and appearance of the area and the visual amenities of neighbouring residents at 46 Chiddingfold, N12 contrary to policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012, policies DM01 of the Development Management Policies DPD (adopted September 2012).

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.

The plans accompanying this application are: Site Location Plan; Drawing no. 1192/SI-010; Drawing no. 1192/PL-000 (date received 19-Mar-2014); Drawing no. 1192-PL-003 Rev C (date received 25-Apr-2014).

Community Infrastructure Levy: Refusal Informative

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 £9,322.92 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 £35,075.70 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

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

Votes were recorded as follows:

In favour: 1

Against: 6

Abstentions: 0

11. 30 WEST HILL WAY, LONDON, N20 8QP - B/02274/14

Councillor Alison Cornelius left the room for consideration of this item, and did not participate in the vote.

The Committee having heard oral representations from Mr Mark Freegard, Mr Stephen Rutherford and a response from the applicant;

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

Votes were recorded as follows:

In favour: 6
Against: 0
Abstentions: 0

12. ARTHUR HOUSE, BARNET LANE, LONDON, N20 8AP - B/00982/14

The Committee having heard oral representations from Mr Geoff Burton and a response from the applicant's representative;

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reasons:

The proposed replacement dwelling, by reason of its siting, mass, bulk and design, would result in a cramped, overly prominent building in this part of the Totteridge Conservation Area and constitute an overdevelopment of the site. It would not preserve or enhance the character or appearance of the conservation area and would be detrimental to the character and appearance of the street scene. The proposal would be contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), the Totteridge Conservation Area Character Appraisal, and the Residential Design Guidance SPD (adopted April 2013).

i) 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.

The plans accompanying this application are:

- 1413.OS
- 1413.P. 01 Revision 0
- 1413.P. 02 Revision D
- 1413.P. 03 Revision C
- 1413.P. 04 Revision C
- 1413.P.05
- Arboricultural Report by David Clarke Chartered Landscaped Architect dated November 2013
- Demolition and Construction Method Statement By Andrew Scott Associates Architects

- Sustainability Statement by Helen Kyprianos of Andrew Scott Associates Architects
- Design and Access Statement by Helen Kyprianos of Andrew Scott Associates Architects

Community Infrastructure Levy: Refusal Informative

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 £14,490 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 £56,718 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

4. 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

5. 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.

6. Self Build

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

Visit

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

Votes were recorded as follows:

In favour: 0

Against: 5

Abstentions: 2

13. STANRYCK HOUSE, 38 TOTTERIDGE VILLAGE, LONDON, N20 8JN

Councillor Caroline Stock provided a comment on the application. The Committee having heard oral representations from Mr David Posner (speaking for Ms Beverley Collins), and from the applicant's representative;

RESOLVED TO REFUSE the application (being a reversal of Officer's recommendation), for the following reason:

The proposed replacement dwelling, by reason of its massing, bulk and design, would result in a cramped and overly prominent addition in this part of the Totteridge Conservation Area and would be overbearing and visually obtrusive, detrimental to the residential and visual amenities of neighbouring residents at Arundel House, Northcliffe Drive, N20. It would not preserve or enhance the character or appearance of the conservation area and would be detrimental to the character and appearance of the street scene. The proposal would be contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), the Totteridge Conservation Area Character Appraisal, and the Residential Design Guidance SPD (adopted April 2013).

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. This application was submitted following pre-application discussions with the applicant. 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.

The plans accompanying this application are:

- Drawing Nos. 1143-EX-01, 02, 03, 04, 05, 06, 07, 08, 09, 1143-PL-100, 101, 108 (received 28 May 2014)
- Drawing Nos. 1143-PL-102A, 103A, 104A, 105A, 106A, 107A and 108A (received 8 July 2014)

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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 £13,580 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 £52,380 payment under Barnet CIL at this time.

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Mayor of London; receipts are passed across to Transport for London to support Crossrail.

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You can apply for relief or exemption under the following categories

7. 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.

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9. Self Build

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Votes were recorded as follows:

In favour: 1

Against: 2

Abstentions: 4

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

There were none.

The meeting finished at 9.06 pm