

## PLANNING & ENVIRONMENT COMMITTEE MEETING

Wednesday 17<sup>th</sup> September 2014, 7.00PM

### ADDENDUM TO REPORT OF THE ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL

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#### **Pages 7 – 53**

**Reference: B/01561/13**

**Address: 1412-1420 High Road**

Following Legal Advice, officers recommend that consideration of this item is deferred until the next planning committee meeting on the 29<sup>th</sup> October 2014 in order to allow suitable notification to be provided to persons who have requested to address committee.

#### **Pages 91-106**

**Reference: H/04042/14**

**Address: Green Lane Garages**

#### **Highways comments –**

Demolition of existing garage blocks and erection of 1no. bungalow and 2no. two storey dwelling houses with associated car parking, cycle storage, refuse and recycling area.

The proposed 3 residential units comprise of 1x1bedroom bungalow and 2x 3bedroom houses with 5 parking spaces. The parking provision for the new dwellings is in accordance with the parking standards on Barnet's Local Plan.

Access will be via the existing access road, which has Housing maintenance responsibility.

The applicant has confirmed that the garages at the site are predominantly vacant. Only 10 out of the 24 garages are currently let and one of these is for Barnet Homes Caretaking Team which will be reallocated elsewhere. The occupants of the 10 garages do not live on Green Lane itself but generally live in the local area. As parking is provided in accordance with the parking standards for the new development and considering that there are parking spaces available on roads in the vicinity of the development, the proposal is not expected to result in a detrimental impact on the public highways.

Although no public right of way within the site and on the approaches to the site, are shown on the definitive map, legally the public may have acquired right of way. In addition nearby properties may also have right of way on footpaths and roads in this area. The applicant must ensure that all right of way accesses are addressed, including the access road which has been available for access to the general public.

Refuse vehicles may not be able to enter and turn within the site, therefore refuse should be brought to a location at the edge of the public highways on collection days if

council refuse collection is intended. Please include a condition to provide refuse collection arrangement details.

**Add Condition:** Prior to occupation the approved development shall make provision for cycle parking and storage facilities in accordance with a scheme to be submitted to and approved by the Planning Authority and spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

**Add Condition:** Before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority to include a Refuse and Recycling Collection Strategy, which details the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

**Add Informative:** For construction works adjacent or affecting the public highways, the council's Street Based Services should be contacted for any necessary Highways Licenses or any highway approvals deemed necessary.

**Add Informative:** Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

**Add Informative:** Any works to either remove or relocate the existing Advance Direction Signs and signal control boxes and any related highway works will be carried out under Section 278 of the Highways Act 1980.

**Pages 107-126**

**Reference: H/04042/14**

**Address: Wade Court**

**Change recommendation to:**

**Approve Subject to S106**

**Subject to a Section 106 Agreement**

**RECOMMENDATION I:**

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Affordable Housing (units)** **£0.00**  
Provision of 10 affordable housing units on the site
- 4 **Monitoring of the Agreement** **£500.00**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.

**RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application reference: B/04000/14 under delegated powers subject to the conditions specified in the report.

**RECOMMENDATION III**

That if an agreement has not been completed by 17/12/2014, that unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application B/04000/14 under delegated powers for the following reason/s:

1. The development makes no provision for affordable housing, which would be contrary to Policy DM10 of the Adopted Barnet Development Management Policies 2012.

**Amend Condition 1-**

The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, Planning Statement, LBB-SMP 100,

LBB-SMP 101 A, LBB-SMP 101 (2) A, Parking survey by Richard Jackson, LBB-SMP 200 A, LBB-SMP 201, LBB-SMP 202 A, LBB-SMP 050, LBB-SMP 210, LBB-SMP 203 A, LBB-SMP 010, LBB-SMP (0) 9250, Topographical survey, Arboricultural Implications Assessment.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

### **Highways comments**

The proposal is for a new development of 10 flats comprising of 6 x 1-bedroom and 4 x 2-bedroom on the site of garages which serve existing Wade Court. The current parking provision consists of 27 spaces. The proposal includes re arrangement of the parking layout which will maintain a total of 27 spaces, of which 10 will be allocated to the new flats and 17 to the existing Wade Court. Two of the proposed parking spaces are suitable for disable use.

No changes are proposed to the existing vehicle access.

The proposed parking provision for the new flats is in accordance with the standards on London Borough of Barnet's Local Plan Policy DM17 of Development Management Policies (Adopted) September 2012.

The proposal will result in the loss of 10 parking spaces for the existing Wade Court. The applicant has carried out a car park occupancy survey which shows that during the day a maximum of 17 spaces out of the 27 existing parking spaces were taken up, and a maximum of 15 spaces at 6am. Therefore a minimum of 10 spaces were observed unoccupied at any time.

In addition site visits observations indicate that there is sufficient on street parking availability to accommodate an eventual on-street parking overspill resulting from this proposal.

For the reasons above it is considered that the loss of 10 parking spaces resulting from this proposal would not result in a detrimental impact on the public highways and the proposal is considered acceptable on highways grounds.

**Add condition:** The parking layout should include provision of electric vehicles charging points, 20% active and 20% passive in accordance with recommendations on the London Plan.

Reason:

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

## **Environmental Health Comments**

*'I have looked at the application details for the above proposal and have no significant concerns with respect to noise or air quality post-construction. Issues regarding noise and air quality (i.e. dust and odours) during the construction phase should be considered in the construction management plan to minimise and avoid undue disturbance to neighbouring residents (as they live in close proximity).'*

*The site falls within a 250m buffer zone of a known historical landfill site identified by the Environment Agency. It is approximately 120m from the proposed site at the nearest point. I would therefore suggest that a full Contaminated Land condition be applied.'*

### **The description has been amended to read:**

Erection of new part 2, part 3/4 storey building to create 10 no. self-contained affordable flats, including off-street parking spaces, refuse/recycling facilities and cycle stores.

### **The Scale on plans confirmed as 1:100 at A1**

#### **Pages 55-62**

**Reference: F/02788/14**

**Address: Brondesbury Cricket Club, 5A Harman Drive**

**Additional information has been received from the applicant in support of the scheme, stating that the costs of removing the netting would be unaffordable for the sports club.**

### **2 Objections against the scheme have been withdrawn**

#### **H/02051/14 - Noam Primary School**

- The following condition should be added to the list of recommended conditions:

"28. Prior to the first occupation of the building, certification shall be submitted to demonstrate that the development hereby approved has met BREEAM very good standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (2013) and policies 5.2 and 5.3 of the London Plan (2011)"

- All reference to £15,000 for zigzag lines on the front of the site should be replaced by £5,000. As such, Section 4 of the heads of terms should be amended to state:

**"4. Highways Improvement (local to the site)                      £5,000**

A £5,000 contribution towards local highway improvements within the

vicinity of the development involving the provision of waiting restrictions on the front of the site on East Road”

- In terms of the loss of green space, the application site is not designated as an area of urban open land and a landscaping condition has been recommended in the event of approval to ensure that soft landscaping is provided on the site.

### **Pages**

**Reference: H/03243/14**

**Address: Django Café, Scratchwood Park Open Space.**

Representations have been received from the Greenspaces team. Concerns have been raised in relation to the following:

- The look of the extension as built is not appropriate for the building.
- There is an increased chance of arson and misuse as a result of the extension.
- There is a trip hazard outside the building.
- The footpath has not been renewed outside the building which was part of the agreement when building the original café.
- The existing café does not open until gone 11am and as such misses any breakfast trade.
- No proper provision for removal of rubbish is provided.
- A pile of rubble has been left in the bushes by the building.

Comments in relation the matters raised by the Greenspaces team:

All matters summarised above, have been taken into consideration, however, these issues largely relate to the management and operation of the existing café. Matters relating to the opening time of the café and previous agreements to provide an adequate new footpath are part of a separate agreement between the Greenspaces/property services team. These matters do not directly relate to the extension under consideration.

Amendments are proposed to the extension to reduce the height of the timber wall to the front and as such will appear more open. As such it is not considered that the extension will result in harm to the appearance of the existing café building. The proposal has been assessed against planning policies.

It is not considered that the retention of the veranda will directly result in an increased risk of arson or misuse that does not already exist. As part of the original application for building the café an external seating area was shown on the plans and as such it is not considered that the provision of the veranda with seating will result in any additional risk than the previously consented scheme. Measures to provide CCTV and lighting were part of the conditions of the original application to build the café.

A condition has been imposed for details of the refuse provision as per the previous approval for the new cafe.

**Condition 2 should read as:**

The existing extension shall be removed and all materials shall be removed within 3 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:-

i. within 3 months of the date of this decision a scheme for lowering the timber wall and re-siting of the polycarbonate sheeting shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

ii. if within 3 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii. if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv. the approved scheme shall have been carried out and completed in accordance with the approved timetable.

Reason:

To protect the amenities of neighbouring occupiers in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

**Condition 5 should read as:**

Details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection 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).