

Decisions of the Chipping Barnet Area Planning Committee

21 October 2014

Members Present:-

Councillor Stephen Sowerby (Vice-Chairman)

Councillor Alison Cornelius
Councillor Kathy Levine
Councillor Barry Rawlings

Councillor Tim Roberts
Councillor Laurie Williams
Councillor David Longstaff (substitute for
Councillor Wendy Prentice)

Apologies for Absence

Councillor Wendy Prentice

1. MINUTES OF LAST MEETING

RESOLVED - That the minutes of the meeting held on 3 September 2014 be approved as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

An apology for absence was received from Councillor Wendy Prentice, who was substituted for by Councillor David Longstaff.

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

Member	Agenda Item	Interest declared
Kathy Levine	11 (Cottage Farm, Mays Lane, Barnet, Herts, EN5 2AQ)	Non-pecuniary interest as one of the applicant is known to Councillor Levine
Tim Roberts	14 (Arthur House, Barnet Lane, London, N20 8AP)	Non-pecuniary interest as owns a property adjacent to the site. Councillor Roberts noted he would absent himself for the consideration of this item.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none.

6. MEMBERS' ITEMS (IF ANY)

There were none.

7. 11 WILTON ROAD, LONDON, N10 1LX - B/03761/14

This item was withdrawn from the agenda at the request of officers.

8. 32 CHURCH HILL ROAD, BARNET, HERTS, EN4 8TA - B/04046/14

The Committee having heard oral representations from Mr Bevan and a response from the applicant's agent;

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: 4
Against: 1
Abstentions: 2

9. EAST BARNET POST OFFICE, 282 EAST BARNET ROAD, BARNET, EN4 8TD - B/03369/14

The Committee having heard oral representations from Mr Aitken and Mr Cekaj, and a response from the applicant's agent;

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: 6
Against: 1
Abstentions: 0

10. ANNEXE, 47 STATION ROAD, BARNET, HERTS, EN5 1PR - B/03574/14

The Committee;

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: 7
Against: 0
Abstentions: 0

11. COTTAGE FARM, MAYS LANE, BARNET, HERTS, EN5 2AQ - B/04041/14

The Committee heard oral representations from Mr Mesariti 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.

12. BROOKFIELDS GARAGE, VICTORIA LANE, BARNET, HERTS, EN5 5UN - B/03629/14

The Committee;

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

Votes were recorded as follows:

In favour: 7
Against: 0
Abstentions: 0

13. 55 WOODSIDE PARK ROAD, LONDON, N12 8RX - B/04691/14

The Committee having heard oral representations from Mr Newton and Mr Rathod, and a response from the applicant's agent;

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: 6
Against: 0
Abstentions: 1

14. ARTHUR HOUSE, BARNET LANE, LONDON, N20 8AP - B/04204/14

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

The Committee having heard oral representations from Mrs Roberts and receiving written representation from Mr 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.P.02 Revision E dated 12.11.2013
- 1413.P.03 Revision D dated 11.11.2013
- 1413.P.04 Revision D dated 20.11.2013
- 1413.P.05 Revision A dated 17.06.2014
- 1413.P.06 dated 18.08.2014
- Sustainability Statement by Andrew Scott Associates Architects
- Design and Access Statement by Andrew Scott Associates Architects
- Demolition and Construction Method Statement by Andrew Scott Associates Architects
- Arboricultural Report by David Clarke Chartered Landscaped Architect and Consultant Arboriculturist Limited received via e-mail dated 08/10/2014 from Andrew Scott from <andrew.scott@architects-asa.co.uk>.

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

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: 0
Against: 4
Abstentions: 3

15. 1 WILLOW END, LONDON, N20 8EP - B/02796/14

The Committee having heard oral representations from Mrs Jacobson 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 existing outbuilding and associated elevated patio by reason of their mass, size, design and siting results in an incongruous form of development which detracts from the character and appearance of the area and would be detrimental to the visual amenities of the neighbouring occupiers contrary to policies CS1 and CS5 of the Barnet's Local Plan (Core Strategy) Development Plan Document (Adopted September 2012), policy DM01 of the Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 and the requirements of Supplementary Planning Document: Residential Design Guidance (Adopted April 2013).

The existing outbuilding and elevated patio by reason of their size, height, design and siting would result in a loss of privacy and overlooking contrary to Policy DM01 of the Barnet's Local Plan (Development Management Policies) Development Plan Document 2012, Policy CS5 of the adopted Barnet Core Strategy, and Barnet's Residential Design Guidance SPD 2013.

Votes were recorded as follows:

In favour: 1
Against: 5
Abstentions: 1

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

There were none.

The meeting finished at 9.15 pm