

HENDON AREA PLANNING COMMITTEE

1 APRIL 2015

ADDENDUM TO ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT

15/00533/FUL
Pages 47-58
101 Station Road

The following representation has been submitted by the applicant:

- Refuse collection – addressed in paragraph 10 of the appeal decision.
- Noise from use of rear garden – addressed in paragraph 11 of appeal decision.
- Loss of privacy – addressed in paragraph 13 of appeal decision.
- Noise disturbance and privacy - addressed in paragraph 14 of appeal decision.
- Out of character - addressed in paragraph 16 of appeal decision.
- Design of side extension – addressed in paragraph 17 of appeal decision.
- Vehicle crossover - addressed in paragraph 21 of appeal decision.
- Loss of family housing - addressed in paragraph 22 of appeal decision.

15/00179/FUL
Pages 67-78
59-61 The Broadway

The description of the development to be changed to “Single storey rear extension”

The following additional representation has been submitted on behalf of the Mill Hill Neighbourhood Forum:

- Mill Hill Neighbourhood Forum has considered this planning application in detail and our major concerns are not with the requested building extension but with conditions that need to be accepted by the applicant on operational issues regarding the site. It is a great shame that rear access to shops in the Broadway has been eroded over time and that primary access is now “over the pavement”.
- Consider that the following conditions should be set down in the event that planning is granted for this application:
 - Tesco will not make deliveries to the site in articulated-lorries or in vehicles that are longer than 8.5metres.
 - Tesco will not require a further “loading bay” outside or near the shop premises, and thus will not take up any parking bays provided for the public.
 - Tesco will co-ordinate the use of the existing “loading-bay” that is closer to the Iceland store, with Iceland store management to ensure that their delivery times do not clash, as such a clash would cause unacceptable traffic problems in the Broadway.
 - Normal delivery times should be restricted to between 7.00am until 9.00am and again between 2.00pm and 3.00pm.
 - Home deliveries will not be a service offered from the store. Any such service will be fulfilled from Company depots elsewhere and outside the Broadway.
 - Tesco will not leave waste containers on the pavement at any time. Such waste containers will be stored within their own facility until such time as the collection vehicle is outside and ready to receive them.

- We look forward to seeing Tesco's shop front designs as part of a further planning application and trust that as such the design will serve to enhance the street scene at this location. We trust that any application will meet the guidance set out by the Department for Communities and Local Government (DCLG) relating to Outdoor advertisements and signs.

In response, Officers would note that this planning application does not relate to a proposed change of use of the existing Use Class A1 retail unit, and as such the imposition of such conditions suggested above are not considered necessary or reasonable. In addition, a number of those conditions suggested above are not relevant to planning. The application relates to a single storey rear extension to the existing unit and is not tied to any specific operator of the existing Use Class A1 retail unit.

A further letter of objection has been received from a neighbour which can be summarised as follows:

1. Amended Plans indicate that Tesco is only going to have one waste bin and 10 storage cages which would take up a small part of the proposed service yard. Question why such a large service yard is needed, which reduces the garden amenity for flats and further harms the character and appearance of the locality.
2. Service area could be reduced to 25% of what asked for. Unless Tesco has other plans for service area, but they have omitted to disclose these.
3. Amended plans show area to rear which is gated and partitioned off, question what the purpose is. Request Committee require Tesco to supply information before making a decision as it cannot properly consider the impact on neighbours without this information.
4. Will harm the neighbouring residents. The extension and service area transforms a peaceful garden into a concrete landscape, potentially bringing noisy commercial activity much closer to neighbouring residents (9 metres from residents backing on to site)
5. Movement of waste and storage cages on daily basis will cause noise disturbance. However if not moved daily will cause noxious smells and environmental hazards. No other shops in area extend into open air at the rear.
6. Surrounding area gardens, there is no current noise and disturbance from other retail activities of other shops, would be unreasonable to allow such a change.
7. Tesco less than transparent throughout matter, initial plans showed no plans for the rear elevation or service yard. Only since my concerns have been raised has the additional information been submitted.
8. Tesco has been incompetent in the preparation of the application or it deliberately omitted to disclose its intentions in the service area.
9. Application should be refused because service area is unnecessarily large or else because its use will be so extensive as to adversely impact on the neighbouring residents.

A further letter of support was received which reiterated their previous comments:

1. Mill Hill needs a general grocery and fresh food store providing goods at affordable prices.
2. It will generate additional visits to the Broadway benefitting the other retailers.

Condition 1 to be amended to the following:

The development hereby permitted shall be carried out in accordance with the following approved plans: F9D12-048A-100, 150, 200, 400 Rev A, 500 Rev A, 520 Rev D, 530, 540.

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).

Condition 5 to be deleted

Comments received from Thames Water:

Thames Water would advise that with regard to sewerage infrastructure capacity, they would not have any objection to the above planning application. They recommend that the following information is brought to the applicant's attention:

Add as additional informatives:

Informative 2

The applicant is advised that, with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. The reason is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Informative 3

The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk.