

Decisions of the Finchley and Golders Green Area Planning Committee

17 September 2015

Members Present:-

Councillor Eva Greenspan (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Jack Cohen Councillor Alan Schneiderman
Councillor Arjun Mittra Councillor Ross Houston (as substitute)

Apologies for Absence:-

Councillor Jim Tierney

Absent Members:-

Councillor Melvin Cohen

1. MINUTES OF LAST MEETING

RESOLVED: That the Finchley and Golders Green Area Planning Committee agree the minutes of the meeting that took place on 27th July 2015, pending the following amendments:

- Item 3: That the word 'Dershingam' be corrected to read 'Dersingham'.
- Item 6: That the word 'should' in the second resolution, is replaced with the word 'will'. The resolution will therefore read '...that the Planning Committee Members *will* conduct a site visit'.

2. ABSENCE OF MEMBERS (IF ANY)

An apology for absence was received from Councillor Jim Tierney, who was substituted for by Councillor Ross Houston.

Councillor Melvin Cohen was absent.

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

Councillor	Item no.	Nature of Interest	Details of Interest
Ross Houston	15 & 16	Non-pecuniary	That Councillor Houston lives in Torrington Park.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There was none.

5. PUBLIC COMMENTS AND QUESTIONS (IF ANY)

There were none.

6. MEMBERS' ITEMS (IF ANY)

There were none.

7. 1 EDEN CLOSE, LONDON NW3 7UL - TPF/00310/15

The Committee noted the presentation and the information as set out in the Officer's report.

Votes were recorded as follows:

For	6
Against	0
Abstain	0

The Committee therefore **RESOLVED to: REFUSE CONSENT for the felling of 1 x Sycamore (Applicant's Ref T1) – Fell. Standing in area A1 of Tree Preservation Order.**

REASON FOR REFUSAL:

The loss of the tree of special amenity value is not justified as a remedy for the alleged damage to the driveway on the basis of the information provided.

8. 1 EDEN CLOSE, LONDON NW3 7UL - TPF/00399/15

The Committee noted the presentation and the information as set out in the Officer's report.

Votes were recorded as follows:

For	6
Against	0
Abstain	0

The Committee therefore **RESOLVED to: REFUSE CONSENT for the dismantling of 1 x Sycamore (applicant's ref. T1).**

REASON FOR REFUSAL:

The proposal will result in the loss of a tree of special amenity value.

9. 49 HODFORD ROAD LONDON NW11 8NL - 15/01175/HSE

The Committee noted the presentation and the information as set out in the Officer's report and addendum.

Following discussion of the item, the Committee **RESOLVED to defer the item** on the basis that members of the Committee needed clarification on the light issues as outlined in the Officer's report and addendum.

10. 8 REDBOURNE AVENUE LONDON N3 2BS - 15/03795/FUL

The Committee noted the presentation and the information as set out in the Officer's report and addendum.

The Committee received oral representations from two speakers who spoke in objection to the application and a response from the applicant.

Votes were recorded as follows:

For	0
Against	5
Abstain	1

The Committee therefore **RESOLVED to refuse the application.**

REASON FOR REFUSAL:

1. The proposed conversion to flats, by reason of the number and size of units proposed and associated general activity, would be an over-intensive use of the site which would detract from the established character of the area and would be detrimental to the amenities of neighbouring occupiers by reason of noise and disturbance. The proposals are contrary to policies DM01 and DM04 of the Adopted Barnet Development Management Policies (2012).
2. The development by reason of the proposed internal layout with the location of living rooms at first floor adjacent to the bedrooms of no.6 Redbourne Avenue would result in noise disturbance to the neighbouring occupiers. The proposals would be contrary to policies DM02 and DM04 of the Adopted Barnet Development Management Policies (2012) and Adopted Supplementary Planning Document on Sustainable Design and Construction (2013).
3. The proposals by reason of the size of the bin storage area required would be detrimental to the character and appearance of the streetscene and general locality, contrary to policy DM01 of the Adopted Barnet Development Management Policies (2012) and Adopted Supplementary Planning Document on Sustainable Design and Construction (2013).
4. In the absence of confirmation that the proposed parking spaces can be provided on site to serve future residents, the development would be likely to increase demand for on-street parking in the area, detrimental to the free flow of traffic and highway safety. The proposals would be detrimental to policy DM17 of the Adopted Barnet Development Management Policies (2012).

Informatives

1. The plans accompanying the application are: PL01; PL02; PL03; PL04; PL05; PL06; PL07; PL08
2. 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 any future appeal process:

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.

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.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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 at 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.

Please visit:

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

for

11. 18 ARDEN ROAD LONDON N3 3AN - 15/03939/HSE

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from a speaker who spoke in objection to the application and a response from the applicant's representative.

Votes were recorded as follows:

For	5
Against	0
Abstain	1

The Committee therefore **RESOLVED to refuse the application.**

REASON FOR REFUSAL:

The roof extension, by reason of its excessive size, bulk, flat roof design and relationship to existing extensions at the property, results in an insubordinate addition to the property, giving rise to an incongruous and inconsistent form of development which fails to respect the local context and relates poorly to the architectural conventions of the main building to the detriment of the character and appearance of the host property and the surrounding area. In this regard the development is considered unacceptable and is contrary to Policy DM01 (Protecting Barnet's character and amenity) of the Barnet Development Management Policies DPD 2012, Policy CS5 (Protecting and Enhancing Barnet's character to create high quality spaces) of the adopted Barnet Core Strategy 2012, and Barnet's Residential Design Guidance SPD 2013

12. 29 HOLLY PARK GARDENS LONDON N3 3NG - 15/04406/HSE

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from two speakers who spoke in objection to the application and a response from the applicant's representative.

Votes were recorded as follows:

For	2
Against	1
Abstain	3

The Committee therefore **RESOLVED to approve the application as per the Officer's recommendations and with one amendment to a condition as set out in the addendum.**

13. 78 BALLARDS LANE LONDON N3 2BU - 15/03731/FUL

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received an oral representation from a speaker who spoke in objection to the application.

Votes were recorded as follows:

For	3
Against	1
Abstain	2

The Committee therefore **RESOLVED to approve the application, subject to the following conditions:**

14. 375 NETHER STREET LONDON N3 1JN - 15/02917/HSE

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from two speakers who spoke in objection to the application and a response from the applicant.

Votes were recorded as follows:

For	2
Against	3
Abstain	1

The Committee therefore **RESOLVED to refuse the application.**

REASON FOR REFUSAL:

1. The proposed first floor extension, by reason of its size and siting would reduce the gap between 375 and 377 Nether Street and would detract from the appearance and character of the property and the streetscene, contrary to policy DM01 of the Adopted Barnet Development Management Policies (Adopted 2012) and Supplementary Planning Document: Residential Design Guidance (Adopted 2013).
2. The proposed first floor extension, by reason of its size and siting in relation to 377 Nether Street, would have an overbearing appearance when seen from that property, detrimental to the residential amenities of the occupiers, contrary to policy DM01 of the Adopted Barnet Development Management Policies (Adopted 2012) and Supplementary Planning Document: Residential Design Guidance (Adopted 2013).

Informative

1. The plans accompanying the application are: A-001 PI, A-003 PI, A-004 PI, A-005 PI, A-006 PI, A-007 PI REV D, A-009 PI REV C, A-010 PI REV E, A-011 PI REV C and A-012 PI REV C.

15. 36 TORRINGTON PARK LONDON N12 9TP - 15/03761/FUL

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from two speakers who spoke in objection to the application and a response from the applicant.

Votes were recorded as follows:

For	2
Against	4
Abstain	0

The Committee therefore **RESOLVED to refuse the application.**

REASON FOR REFUSAL:

1. The proposed change of use from a single family dwelling house to a school results in the loss of housing, to the detriment of the supply of housing in the Borough. In the absence of identified local need this would be contrary to Policy 3.14 of The London Plan (2015) and Policy DM07 of Barnet's Adopted Development Management Policies DPD (2012).
2. The proposed use, by reason of the level of activity at the site in this residential area, would result in noise and disturbance detrimental to the residential amenities of the occupiers of neighbouring properties, contrary to policies DM01 and DM13 of Barnet's Adopted Development Management Policies DPD (2012).

Informative:

1. The plans accompanying this application are: 01 Site Plan, Location Plan; 02 Existing and Proposed Plans and Elevations; Design and Access Statement

16. 36 TORRINGTON PARK LONDON N12 9TP - 15/03762/LBC

The Committee noted the presentation and the information as set out in the Officer's report.

Votes were recorded as follows:

For	2
Against	4
Abstain	0

The Committee therefore **RESOLVED to refuse the application.**

REASON FOR REFUSAL:

The application for listed building consent relates to a number of proposed alterations to convert the building to support its proposed use as a school (Class D(1)). Permission to change the use of the building from Class C3 to Class D1 under linked application 15/03761/FUL was refused for the reason that the change of use from a single family dwelling house to a school results in the loss of housing, to the detriment of the supply of housing in the Borough. In the absence of identified local need this would be contrary to Policy 3.14 of The London Plan (2015) and Policy DM07 of Barnet's Adopted Development Management Policies DPD (2012). Approval of listed building consent in these circumstances cannot be given as it would support a change of use of the building which has not been authorised for the reasons stated.

Informative:

1. The plans accompanying this application are: 01 Site Plan, Location Plan; 02 Existing and Proposed Plans and Elevations; Design and Access Statement

17. STANHOPE COURT 53 - 55 STANHOPE ROAD LONDON N12 9DZ - 15/02559/FUL

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from two speakers who spoke in objection to the application.

Votes were recorded as follows:

For	3
Against	3

Abstain	0
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The Chairman used her casting vote in favour of the application.

The Committee therefore **RESOLVED to approve the application, as per the Officer's recommendations.**

18. FLAT 1 TESEO HOUSE 124 GRANVILLE ROAD LONDON NW2 2LD - 15/02798/FUL

The Committee noted the presentation and the information as set out in the Officer's report.

The Committee received oral representations from a speaker who spoke in objection to the application and a response from the applicant.

Votes were recorded as follows:

For	6
Against	0
Abstain	0

The Committee therefore **RESOLVED to approve the application, as per the Officer's recommendations.**

The meeting finished at 8.36 pm