

FINCHLEY & GOLDERS GREEN AREA PLANNING COMMITTEE

15 October 2015

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

*The Alexandra 1 Church Lane London N2 8DX - (only)***Pages 77-86****Reference: 15/02918/FUL****Address: The Alexandra 1 Church Lane London N2 8DX**

Since the report was published, the following further comments have been submitted specifying a strong support of the application on the following grounds:

- Objections (anonymous letters) have raised negative feelings towards the restaurant.
- No noticeable increase in traffic or noise (Church Lane although quiet is by High Road which is a busy road)
- Restaurant has made "an enormous effort to create a wonderful environment for a relaxing evening out"
- Use replaces a pub, with worst conditions in terms of drinking
- East Finchley is diverse and this compliments it

The following additional comments have also been received objecting to the scheme:

- Shisha element is a material change of use
- Pub had no smoking area (people smoked at the front)
- Residents woken up by customers
- "laughing gas" containers left on pavement
- Smell of smoke and noise entering gardens of neighbours
- Neighbours tricked into signing a letter of support

With regards to the final comment, officers have received comments indicating that there have been letters of support submitted on behalf of residents who do not support the scheme. The council has only considered the comments received following the formal consultation carried out.

In addition, the following further comments have been received from Environmental Health:

- Recommend refusal of the scheme as the nature of the structure is likely to lead to noise and odour complaints, particularly during the summer months when residents are likely to keep windows open and sit in their gardens.

Notwithstanding the comments from Environmental Health, planning officers recommend that consideration should be given to the current lawful use of the site as a pub with a garden. On balance, it is considered that the following additional conditions would address concerns regarding noise and disturbance:

Condition 8:

a) The use shall not commence on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise generated from the use and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of residents are not prejudiced by mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

Condition 9:

No music shall be played under the rear partially enclosed canopy structure or outside of the building hereby approved at any time.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.