

FINCHLEY & GOLDERS GREEN AREA PLANNING COMMITTEE

21st January 2016

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

Pages: 79 to 104

Reference: 15/07709/FUL

1069 Finchley Road

Amend condition 1:

The development hereby permitted shall be carried out in accordance with the following approved plans:

1415-PL-011
1415-PL-212
1415-PL-013
1415-PL-014
1415-PL-015
1415-PL-016

1415-PL-210 B
1415-PL-213 B
1415-PL-214 B
1415-PL-215 B
1415-PL-216
1415-PL-217
1415-PL-218
1415-PL-221 B
1415-PL-222 B
1415-PL-223
1415-PL-230 B

Letter from Nathaniel Lichfield & Partners on behalf of the Applicants dated dated 08/01/2016

Daylight Sunlight and Shadow Assessment
Noise Impact Assessment Report
Foul Sewage & Utilities Assessment
Transport Statement
Site Location Plan
Air Quality Assessment
Planning Statement,
Design and Access Statement.

Amend Condition 23:

a) Notwithstanding the details submitted, No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. This shall take into account the letter from *Nathaniel Lichfield & Partners on behalf of the Applicants dated 08/01/2016*.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

Amend condition 32 –

The rear wall of the existing police station immediately at the rear of 10-16 Temple Gardens shall be maintained as existing and shall not be demolished as part of the proposals, as described in the letter from Joe Lerner dated 08/01/2016.

Reason: To ensure that the development is constructed in accordance with the documents submitted.

It is noted that the main body of the report contains some inaccuracies which are a legacy from the previous report. These are addressed below.

Amend section of report ‘Whether principle of development is acceptable’

This planning application follows the refusal by the Finchley & Golders Green Area Planning Committee of a similar scheme for ‘Demolition of existing buildings and erection of new five storey building including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats

This was refused contrary to officer recommendation and only on the grounds that:

The proposed development by reason of its pedestrian access and relationship to Temple Gardens would result in a harmful impact on neighbouring residential amenity due to associated noise, disturbance and general activity as perceived by neighbouring residential properties on Temple Gardens, being contrary to policy DM01 of the Adopted Barnet Development Management Policies (2012)

The proposed scheme is the same as previously submitted except for some changes to the proposed layout. Principally, these revolve around alterations to the access points of the scheme, so that access and egress would both take place from Finchley Road.

Amend section ‘Layout’

The proposals are of similar nature to those previously considered. The buildings are in the same locations, with the car parking spaces being arranged differently. The proposed cycle stores would not be accessed from Temple Gardens

Amend section ‘Outlook and Visual Impact’

Remove sentence ‘This would be replaced as a result of the proposals by a marginally lower wall. As a result of this, the impact on neighbouring outlook is likely to be diminished by the bulk of the replacement wall.’ This is no longer accurate.

Amend Section ‘Noise and Disturbance’

Remove sentence 'A further condition is suggested to secure details of the gate to secure this arrangement.' This is no longer necessary.

Amend section 'Refuse'

Replace with 'Refuse collection will be from Finchley Road, storage will be in a central area and will be wheeled out to Finchley Road for collection.'

Public Consultation

Since the writing of the report, and additional 4 responses have been received.

These comprise: 2 objections, 1 letter of comment and 2 letters of support.

This brings the total comments to:

2 objections, 8 letter of comment and 3 letters of support.

The additional objections relate to:

- The scale, mass and height of the proposed development being out of character with the surroundings
- Proximity of development to existing properties and gardens, balconies and roof terraces overlooking and loss of privacy.
- Character and Appearance.

These matters are addressed in the main body of the report.

Reference: 15/03207/FUL

Address: Blocks 7 and 8, Chandos Way, London, NW11 7HF

The objectors and residents of the estate have commissioned further daylight and sunlight testing to respond to the Committee reports. A letter setting out their conclusions has been received and circulated to Members. The statement relates to flats at Blocks 7 and 8 only.

Both Flats 69 and 71 would suffer a right of light injury although were the results to be extrapolated to all the other affected units, there would be similar results. The stairs, landing and bathroom of 69 Chandos Way would all lose light. At 71 Chandos way, the kitchen would see a reduction to 55% of its former light value. The stairs and landing would lose all its light and the bedroom would be reduced to 91%. A substantial reduction of light would occur.

The officer's report states that while there is a significant or total loss in some rooms, the impact on residential amenity in those particular rooms would not be a planning matter that would warrant refusal of planning permission. The objectors regard this to be a conflicting statement.

The objections states that balconies and overhangs have been incorrectly assessed. The reduction in light should be considered with these in place with the extensions constituting the reduction in light rather than the original structure of the building.

The objections originally expressed have not been overcome. A decision was requested to be withheld until every single property was carried out and the impact was fully assessed. Kitchens should be considered to be habitable rooms. Rights of light has not been considered at all.

Although it is accepted that this is not a planning matter it should be considered. The scheme would have a devastating impact on so many properties.

Reference: 15/03208/FUL

Address: Blocks 4 and 5, Britten Close, London, NW11 7HW

Objection received on 15 January: The plans still do not show the three skylights and vent which the proposal would build over.

Reference: 15/05128/HSE

Address: 163 Cheviot Gardens, London, NW2 1PY

Condition 1 – Approved plans should read as:

The development hereby permitted shall be carried out in accordance with the following approved plans: S0758/10; S0758/01/A; S0758/02A; P0758/11/E; P0758/12/F, P0758/13/D and P0758/14/A received on 13.11.2015 and e-mail from the agent received on 22.10.2015.

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).