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129 The Vale
Ref: 16/7691/FUL

Further to the assessment featured in the Committee Report in addition to the existing flats and flat conversions on The Vale at numbers 18, 85, 117, 133, 183, and 220, there are also extant consents for numbers 83, 106, 227 for flat conversions which will further contribute to the future character of the street. This further reinforces the statement that The Vale is not necessarily characterised by houses and that the principle of losing a single family house and converting 129 The Vale to flats is acceptable.

Dimensions of the extensions are as follows:

Footprint/ground:

Front extension max. 0.6m

Rear extension max. 6.4m

Side (east) max. 0m (matches existing building line)

Side (west) max. 4.5m (infill) – existing garage is offset 0m

First floor

Front extension max. 0.6m

Rear extension max. 4m

Side (east) max. 0m (matches existing building line)

Side (west) max. 4.5m (infill) – existing garage is offset 0m

Amend Recommendation to read:

Recommendation: Approve subject to s106

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Amendment to traffic order to prevent resident from obtaining parking permits - £2,000
4. Monitoring of the Agreement - £100

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved drawing and document: 129TV-PP3-03A Proposed Floor Plans and Elevations and the Design and Access statement by Tal Arc.

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).

2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3 Before the development hereby permitted is occupied, the screened facilities for the storage and collection of refuse containers as shown on drawing 129TV-PP3-03A Proposed Floor Plans and Elevations shall be provided in accordance with the approved details.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

4 The flat roof hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

6 The approved development shall make provision for cycle parking and cycle storage facilities in the location shown on drawing no. 129TV-PP3-03A Proposed Floor Plans and Elevations . Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7 The amenity space shall be subdivided as shown on 129TV-PP3-03A Proposed Floor Plans and Elevations before first occupation or the use is commenced and retained

as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

8 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 19/03/17, unless otherwise agreed in writing, the Service Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of amending the traffic order to prevent residents from obtaining parking permits. In the absence of this, the proposals would result in increased kerbside parking which would be detrimental to highway and pedestrian safety and the free flow of traffic. The proposal would therefore not address the impacts of the development, contrary to Policy CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013) and policy DM17 of the Development Management Policies 2012.

Informative(s):

1 Refuse collection points should be located within 10 metres of the Public Highway; unobstructed and suitable access needs to be provided to collection personnel. Dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

2 The applicant must ensure that any gate operation equipment is located within the site boundaries and does not encroach onto the public highways.

3 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance

to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

4 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

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 are exempt from this charge.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are 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, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and 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 this grant of planning permission, please email us at: 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 Extensions: 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

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

5 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries.

Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7

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12-18 High Road

Ref: 16/2351/FUL

Amend Recommendation I :

The affordable housing contribution is £870,000 and not £850,000 as stated in the report.

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Highways Improvements - an agreement to provide junction improvements at the High Road Access on the public highway that are approved by the Highway Authority.
4. A financial contribution of £2,000 towards the amendment of Traffic Management Order to ensure to revoke the right to purchase a residential parking permit for the development site.

5. Car Club associated with the development
6. Commuted sum towards Affordable Housing - **£870,000**
7. Monitoring of the Agreement - £100

Amended Plans.

It has come to light that elevation plans had not been updated to show the reduced footprint of the roof terrace at third floor level. Amended plans have now been received reflecting this.

For clarification, the roof of the projecting bay to Ingram Road above First floor level would not be permitted to be used as a balcony and this has been confirmed in writing by the applicant.

Amend condition 1:

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

HR-AGE01
HR-G-AG01 E
HR-G-AG02 E
HR-G-AG03 **E (Received 18/01/17)**
HR-G-AG04 E
~~HR-G-AG05 D (Plan Removed)~~
HR-G-AGP01 F
HR-G-AGP02 E
HR-G-AGP03 **E (Received 18/01/17)**
HR-G-AGP04 E
HR-G-AGP05 E **(Received 18/01/17)**
HR-G-AE01 D
HR-G-AE02 B
HR-G-AE03 **B (Received 18/01/17)**
HR-G-AE04 B
HR-G-AE05 **D (Received 18/01/17)**
HR-G-AE06 **(Received 18/01/17)**
HR-G-AE07 C
HR-G-AE08 **C (Received 18/01/17)**
HR-G-AE09 A
HR-G-AE10 B
HR-G-AE11 B
Design and Access Statement
12-18 High Road - East Finchley Site Analysis
Daylight and Sunlight Report
Construction Management Plan
Transport Assessment
Revised Environmental Assessment
Planning Statement
Air Quality Assessment
Travel Plan

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).

Amend condition 15 (Ventilation)

The level of noise emitted from the **plant** hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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 2015.

Additional condition

No parts of the roof of the first floor roof shown on plan HR-G-AGP03E, or the second floor roof on plan HR-G-AGP04E (with the exception of the second floor areas specifically annotated as roof terraces) shall be used as balcony, amenity or sitting out area.

Reason: To safeguard neighbouring amenity.

Further Clarifications in report

Page 68 paragraph 5.3 – The reference to a retail use being provided is incorrect and should relate to office

Page 71 – reference to 22 dwellings being proposed is incorrect – number of dwellings is 21

Page 71 – reference to the site being PTAL 4 and is not strictly correct as site frontage is within PTAL 5.

Page 76 – should read as follows:

Impact on no.11 Ingram Road

At ground, and first and second floors, the proposed building would be approximately 28.5m from the main rear wall of no.11 and 21.3m from the rear outrigger.

At second and third floor the proposed building would be approximately 30.8m from the main rear wall of no.11 and 23.9m from the rear outrigger.

All balconies at second and third floor level have been removed beyond the main rear wall of block B.

~~It is noted that there is a small balcony proposed facing this property at first floor level of approximately 1.5m depth. This would be sited away from the part of the building directly facing the outrigger. On balance it is not considered that harmful overlooking would result if this element is screened adequately and a condition is suggested to ensure this.~~

- ***This has now been removed from the scheme following discussions with officers and is reflected in the amended plan numbers condition.***

Additional comments from neighbouring residents have been received as follows:

Correspondence was received from a resident outlining an alternative proposal utilising parking on Brompton Grove to the rear of the site. Highways Officers would advise that that there may be issues with the adoption of this road. Highways officers consider in any event that the proposals can be supported without the benefit of such a scheme.

Additional Comments from officers:

The fact that there has been significant level of public objection to the scheme is noted. However whilst any objections need to be considered the scheme still needs to be considered against planning policy on it's merits.

In terms of highways impact, this is dealt with in the main report. However, officers would add that the site is in a highly accessible location. A legal agreement would be required in order to ensure that residents of the development would not be eligible for residents parking permits. It is acknowledged that the existing area suffers from parking stress. Highways officers consider on balance that the proposals would not lead to harmful impact.

Highways officers are also content that there is adequate provision for deliveries on site and adequate turning space for vehicles; there would not be harmful impact on highway and pedestrian safety.

Reference is made to daylight and sunlight impact of the proposals. It is acknowledged that the applicant's daylight/sunlight report incorrectly refers to north facing windows that are in fact west facing however officers are of the view that the impact would nevertheless not be so great as to warrant refusal of the scheme.

The impact on privacy is addressed in the officer's report. Additional plans have been received clarifying the position of any roof terraces. All terraces at second floor level have been removed and terrace at third floor level has been reduced in footprint.

Comments have been raised regarding possible need for mechanical ventilation. Environmental Health officers have commented on the scheme and consider that such details could be secured by planning condition. This is reflected in condition 14. It is not considered that the development will result in harmful levels of noise and or disturbance.

Add informatives:

TRAFFIC SENSITIVE

Informative: The applicant is advised that the High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic.

SRN

Informative: The applicant is also advised that the development is located on a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

LICENSE ADJACENT PUBLIC HIGHWAY

Informative: For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicant and will require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by the Highways Authority.

Informative: The applicant advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S184 or S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.

The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section – Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot pre-empt the outcome of the consultation process.

Informative: The applicant is advised that although the Travel Plan is not required as the development falls below the appropriate Travel Plan thresholds, they are encouraged to develop a Voluntary Travel Plan to promote more sustainable forms of travel. Further advice can be sought via abetterwaytowork@barnet.gov.uk or tel: 020 8359 7603.

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124 Friern Park
Ref: 16/7238/FUL

The previous appeal decision is attached.