

Finchley and Golders Green Area Planning Committee 14th June
Addendum to Officers Report

Page: 47 - 52

Ullswater Court, 92 Holders Hill Road, London, NW4 1LN

Ref: 16/7639/CON

The applicant has provided two further drawings which illustrate the ventilation equipment which is sought to be approved under condition 7 – UC+11 A (South Elevation – Services) and UC+12 A (North Elevation – Services).

Further to the last paragraph of the committee report, Planning and Environmental Health Officers conducted a site visit on the morning of Monday 12th June 2017. Officers met with engineers on the site who turned on the ventilation system and boiler. It has explained that the site does not have a CHP boiler system but each flat has a residential style boiler and a mechanical ventilation & heat recovery system with two outlets and two inlets.

On the visit, noise levels were measured with the ventilation and boiler system operating and turned off. The results were Leq: 52.3 dB(A) when the system was on and Leq: 52.8 when turned off, so the result are within a 0.5 dB range which would not be a perceptible level. Overall, officers did not hear any audible noise when the ventilation system and boiler were in operation.

In addition, Environmental Health carried out an unannounced site visit on Friday 19th May 2017 and no noticeable noise from the plant was witnessed during the visit.

Page: 53 - 72

1a Pattison Road

Ref: 17/0884/FUL

In regard to the impact of the proposed development on neighbouring sites it should be noted that the proposed flatted development shows eaves and ridge levels of the same height as the existing warehouse building on site.

In regards to the impact on 402 Finchley Road specifically the proposals show the removal a significant amount of the wall separating the sites at high level and as such greatly improves the outlook of 402 without creating any overlooking issues

In regard to the impact of the proposed development on The Lighworks at 404-406 Finchley Road Section A-A shows that the building sits within the same footprint of the existing warehouse structure and follows a very similar massing and pitch, thereby resulting in no additional loss of amenity to these occupiers. It also shows the same section of wall removed when compared with the existing, which again improves the outlook for these existing neighbouring occupiers and increases the amount of natural light reaching the property.

The penultimate paragraph of the “Response to Public Consultation” within the Committee report should read;

“The submitted daylight / sunlight report was not originally made available to the public. However, this was remedied early on and neighbours have been given sufficient time to review the document.”

Amend condition 22

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, of Part 1 of Schedule 2 of that Order shall be carried out within the area of 1A Pattison Road hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

Page: 73 - 84

3 Carlton Close

Ref: 16/0325/HSE

Condition 6 – Tree Protection and Method Statement should be removed from the report and an Informative added, reading;

“All parties must adhere to the detail of the Arboricultural Report submitted and hereby approved.”

Page: 95 - 106

Brondesbury Cricket Tennis and Squash Club, 5A Harman Drive, London, NW2 2EB

Ref: 17/0239/FUL

Correspondence has been received from local residents expressing concern that an agreement reached between local residents and the Tennis Club was not included within the officer’s report. A response was issued to the residents concerned outlining the councils approach. The Local Planning Authority must assess the application on its planning merits and the material considerations presented. A separate agreement between some local residents and the Tennis Club did not translate into a change of the proposal and as the Local Planning Authority can only assess the proposal as presented by the applicant, the reported agreement was not considered a material consideration. The LPA have taken the view that based on the information provided and the applications individual planning merits, it is acceptable.

Page: 117 - 146

Big Site Allotments – Land between Coleridge Walk, Addison Way, Hogarth Hill, Wordsworth Walk (adjacent 27 Wordsworth Walk) London NW11

Ref: TPF/0183/17

At the time of drafting the report one of the consultation responses had not been recorded in the system although the comments were taken into account – hence there is a discrepancy between the

number of replies and the representations / support / objections. There were 205 replies received in total.

The following section has been inadvertently omitted from the Committee report:

“EQUALITIES AND DIVERSITY ISSUES

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

The Council have considered the Act but do not believe that the application would have a significant impact on any of the groups as noted in the Act.”

Page: 171 -184
939 High Road, N12
Ref: 17/0947/HSE

This opportunity is taken to confirm that the objections received in response to the second round of consultation supplement those previously received and all must be taken into account in the consideration of this application.

Concern has been raised that the objections raised in respect of the sites history have not been included in the report, for the avoidance of doubt that objection is copied below:-

“I have recently made an objection to the above application for an extension at the rear which would decrease the length of its garden, make the house nearer Highwood Avenue houses, and serious be detrimental to the deteriorating amenity of neighbours.

Please accept this as an update or further objection based on material considerations which were considered at the outset of permissions for the building of the house.

The houses in the row of plot 6 were specifically moved further away from Highwood Avenue so they would be a particular distance from Highwood houses.

The Boyer report is helpful as it shows why previous applications were refused / withdrawn, including improvements to amenity, privacy and overlooking issues which also meant moving the houses back adding a longer garden. An extension to plot 7 would fly in the face of that.

As Mr Gaudin or Mr Hooton seemed unaware of the detail of previous applications in relation to 931 High Road, the excerpt below may assist.

Planning History

4.1 The site’s recent planning history is of relevance to the current proposals.

Application Number	Description of Development	Decision and Date
F/00216/08	The redevelopment of the 931 High Road, to allow the construction of 3 to 7 storey buildings comprising 182 apartments, 10 mews houses (Use Class C3), 1,444 sqm of flexible commercial floor space (Use Classes A1, A2, A3, and B1) as well as ancillary facilities including amenity spaces, refuse stores, car/motorcycle/cycle parking and servicing.	Withdrawn 02/06/2008
F/00241/08	Redevelopment of 931 High Road, to allow the construction of 2 to 6 storey buildings comprising 167 apartments, 10 mews houses (Use Class C3), 1,272 sqm of flexible commercial floor space (Use Classes A3 and B1) and ancillary facilities including amenity space, refuse stores, car/motorcycle/ cycle parking and servicing.	Refused 20/07/2009
F/04553/09	The redevelopment of 931 High Road, to allow the construction of 2 to 6 storey buildings comprising 139 apartments, 10 mews houses (Use Class C3), 1,345 sqm of flexible commercial floor space for office (use class B1) or restaurant and cafe (Use Class A3) uses and ancillary facilities including amenity space, children's play space (0-4 years), refuse stores, car/motorcycle/cycle parking and servicing.	Withdrawn 09/11/2010

4.2 The recent planning history illustrates that there have been several attempts to develop the site dating back over the last 5 years. The Applicant has examined and understood the previous applications which have helped to inform the current proposals.

4.3 The refused 2009 application is of particular relevance. The application was put forward to Barnet's Members with a recommendation for approval but was refused. This decision, along with discussions referred to below have informed the current design. Key differences between the refused 2009 scheme and the current proposal include:

- Removal of commercial floorspace from the development, which enables a higher quality of residential amenity to be provided within and adjoining the development.
- A significant reduction in the number of dwellings and density, with consequent improvements to the quality of internal and external amenity.

642 Some of the specific scheme alterations that have been made following the 2009 application include:

☑ Reduced building heights and more considered building placement and layout to integrate more appropriately with the urban grain, and reduce overbearing and enclosure.

☑ Significant reduction in overall number of dwellings, resulting in less pressure from overlooking and loss of privacy.

☑ Inclusion of more landscaped open areas within the development which serve to improve outlook over the site from neighbouring properties and act as buffers between residential properties to avoid overlooking and noise impacts.

Privacy

6.49 Potential overlooking and consequent loss of privacy is a major consideration for neighbouring occupiers and considerable effort has been made to ensure the proposed development would not cause any unreasonable loss of privacy. Potential harmful overlooking has been addressed primarily through the layout of the proposals (discussed further in the accompanying Design and Access Statement); the matter was thus an integral part of the scheme's design.

6.50 The proposed buildings have been located to ensure that separation distances between facing habitable room windows and balconies significantly exceed 20 metres, and overlooking distances between habitable windows and gardens have also been maximised to minimise loss of garden privacy. Additional measures, including proposed planting and boundary treatments would ensure a high degree of privacy is retained for existing neighbours and provided for new residents.

In the circumstances, please accept this as an update to my objection based on the material considerations previously considered, and based on which the size, height and proximity of the houses to Highwood Avenue were rejected.

Therefore, no extension to this plot or other plot facing Highwood Avenue should be granted. Please confirm that this email will be included in the report to consider this application and I confirm my consent to publish this email on the website for planning application comments."

Page: 185-194

Stanhope Court

Ref: 17/1586/FUL

Amend recommendation to read:

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 (traffic order) £2,000.00

"A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development."

4. Monitoring of the Agreement £100.00

"Contribution towards the Council's costs in monitoring the obligations of the agreement."

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application under delegated powers subject to the following conditions:

List conditions here

Add recommendation III:

That if an agreement has not been completed by 14/09/2017 that unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application 15/02559/FUL under delegated powers for the following reasons:

1. The development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.