

Pages 37 - 46

Cottage Farm, Mays Lane, Barnet EN5 2AQ

17/2326/FUL

Amend Recommendation I to include amended Heads of Terms as follows:

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. Provision of a Landscape Management Plan to secure the long term management of landscape and wildlife values at the site, ensuring high biodiversity values for the site and to assist in ensuring its long-term rural character.
3. Monitoring fee: £500.00.
4. The obligations listed above to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

Amend Recommendation II by making the following changes:

Amend condition 1 with the following plan numbers:

Existing site plan Rev.) 1.A;
Proposed site plan Rev.0.1.C;
Location plan Rev.0.5;
Proposed site plan Rev 0.7A;
Landscaping plan Rev 0.8A;

House A

ground floor plan Rev 8.PR.2.1;
First floor plan Rev A.PR 2.2;
Roof Plan Rev A PR.2.4;
Front elevation Rev.A.PR.3.1;
Left elevation Rev A.PR.3.2;
Right elevation Rev A.PR.3.4;
Rear elevation Rev A.PR.3.3;
Section 1 RevA.PR.4.1;
Section 2 RevA.PR.4.2;

House B

ground floor plan Rev B.PR.2.1;
Roof Plan Rev B.PR.2.4;
Front elevation Rev.B.PR.3.1;
Left elevation Rev B.PR.3.2;
Right elevation Rev B.PR.3.4;
Rear elevation Rev B.PR.3.3;
Section 1 Rev B.PR.4.1;
Section 2 Rev B.PR.4.2;

New condition 6 (Landscape Management Plan):

a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Long-Term Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies DM01 and DM15 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

New condition 15 (dimensions and drawings of reductions to Building 9):

a) No development other than demolition works shall take place until scaled drawings of Building B9 as shown on drawing no. 0.1.a and details of the intended alterations and appearance of the reduced Building B9 as shown on approved drawing no. 0.1.c have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented and maintained in accordance with the materials as approved under this condition.

Reason: In the interest of highway safety 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.

Amended condition 20 (car parking):

a) No development other than demolition works shall take place until scaled drawings of the car parking and manoeuvring areas to be provided for the existing and approved dwellings have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented and maintained in accordance with the approved details and shall not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: In the interest of highway safety 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.

Amend Recommendation III as follows:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 20th October 2017, 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 provide for the following:

1. The council's legal and professional costs of preparing the Agreement and any other enabling agreements.
2. Provision of a Landscape Management Plan to secure the long term management of landscape and wildlife values at the site, ensuring high biodiversity values for the site and to assist in ensuring its long-term rural character.
3. Monitoring fee: £500.00.
4. The obligations listed above to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

The proposed development would therefore not address the Green Belt impacts of the development in that it does not include a formal undertaking to provide an acceptable Landscape Management Plan, which is required as part of the Very Special Circumstances that justify the application in terms of its inappropriateness in accordance with Green Belt policy. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM15 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (2013).

Explanation of amendments to conditions in Recommendation II above:

Deletion of Condition 6 (archaeology): The site does not fall into the Archaeological Priority Area, which is located to the north of High Barnet.

New condition 6 (Landscape Management Plan): While the section 106 planning obligation would provide for a Landscape Management Plan to be completed and implemented in association with the development, amendments to the submitted Landscape Management Plan are also required to be submitted and approved. The following new condition 6 would provide for this:

New condition 15 (dimensions and drawings of reductions to Building 9): These details are required to ensure an acceptable appearance and reduction in the size of this building. There is no condition 15 in the main report.

Amendment to condition 20 (car parking): The submitted drawings show vehicle access but no car parking areas. The site area is ample to accommodate vehicle parking adjacent to each dwelling.

Amendments to the report:

Page 35:

Add above Officer's Assessment:

Reason for call-in:

The application has been called in by Councillors Prentice and Sowerby due to the Green Belt location of the site, the previous refusal and controversial nature of the previous application.

Page 36: Section 4 - Public consultation:

The main report stated that 299 neighbouring properties were consulted. The correct number is 56.

Two letters of support have been received, which make the following points:

- The proposals attractive, unobtrusive and much more in keeping with our area than the current derelict kennel buildings.
- We have been residents of Partridge Close since it was developed in 1993 and had previously watched with dismay when the previous occupants erected outbuildings on the site that fell into disrepair resulting in an eyesore to the community.
- The appearance and prosperity of the area will improve.
- The proposal will also increase the sense of community which is already strong in Partridge Close and with the Cottage Farm owners and families.

These positive comments are noted.

Page 40: Reductions in size from the previously refused application ref. B/4041/14 in this proposal:

Discussion in the main report sets out the changes between the previously refused proposal and this application in term of building footprint and volume. Further clarification of the differences between the two proposals is provided here in terms of building height, width and depth.

As shown on the submitted drawings, the equivalent locations in the refused application are:

- Plot 1 in the refused application is now the location for House B;
- Plot 2 as refused is the equivalent site for House A.

Both of the refused houses would have had accommodation over three levels. In this proposal, House A would have four bedrooms and House B, 2 bedrooms.

The refused Plot 1 would have provided 5 bedrooms as compared to 2 bedrooms for House B which would be in the equivalent location. Both the refused Plot 2 and proposed House A would have (or have had) 4 bedrooms.

Maximum building height in the refused application was 9 metres for both houses, while in the current proposal this has been reduced to 6 metres. In addition, the indoor swimming pool and gym in the refused application has been omitted from the scheme. This would have been a maximum of 3.8m high, and located very close to the southern boundary and the existing Building 9 (adjacent to the Mays Lane frontage) would have been retained in its entirety in the refused application whereas the proposal is now to remove half of the building, reducing its road frontage width by 50%.

Turning to comparable width and depth, Plot1 in the refused application would have had a width of 15m; maximum depth including the single storey portions would have been 17m with a maximum depth of 12.5m for the 2 storey element. House B, in the same location on the site, would be wider at 19m; however depth would be 6.3m for the pitched roofed element while including the flat roofed rear elements (which are of different length, the minimum overall depth of the house would be 9.2m and the maximum depth 12.5m.

The refused Plot 2 house would have been width 17.5m with a maximum depth of 15m (including maximum 12.2m for the two storey element. In this proposal, House A in the same position would be 16.5m wide and a maximum of 15m deep; the two-storey element would be a maximum of 11.4m deep.

The additional building in the reused application, the indoor swimming pool / gym would be a maximum of 3.8m high, 15.5m wide and 14.4m in depth.

Pages 41: Landscape Management Plan:

The main report referred to a bond or other mechanism to ensure that the long-term requirements of the Landscape Management Plan are implemented. However it is noted that Section 106 of the Town and Country Planning Act (as amended) provide the Council with sufficient powers to enforce the terms of the Landscape Management Plan should that need ever arise. The amended Recommendation I above therefore provides for the standard monitoring fee for the planning obligation.

17/0337/FUL 154 Colney Hatch Lane

Additional Condition No 10

Roof not to be used as balcony terrace area.

Other than the approved second floor rear terraces, the roof of the extension 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).