

**Finchley and Golders Green Area Planning Committee 4<sup>th</sup> September 2018**  
**Addendum to Officers Report**

**Pages: 19 - 32**

**Ref: 17/7604/HSE**

**23 Thornfield Avenue, NW7 1LT**

One additional objection has been received and is summarised below:

- I am very concerned about this type of development setting precedents for this area.
- I am the Chair of Friends of Windsor Open Space.
- Beautiful detached properties once lined Holders Hill Road. They had large established gardens.
- Over the last twenty years these houses with front and rear gardens have been replaced at an alarming rate with blocks of flats.
- These flats now stretch over virtually the length of Holders Hill Road N.W.4. They Back on to the Dollis Brook.
- Residents know only too well that the Dollis Valley Green Walk sits on a flood plain. The Environment Agency write to householders annually to explain the risks to them
- As more land mass is covered in concrete the surface water has nowhere to go.
- In wet weather the DVGW floods severely.
- The flats are changing the landscape geologically. We are on clay which holds surface water and shrinks in hot weather. We are becoming more and more waterlogged. For longer periods of the year.
- Neighbour's could be adversely affected as there is a risk to their properties with the deep excavation of soil in creating a basement. There could be subsidence or flooding from ground water.
- When the houses were originally built in the late 1920's solid foundations were not included and as a result of this settlement cracks will appear in the walls of local houses.
- These properties run the risk of subsidence in extreme weather conditions.
- Barnet planners are contributing to these climate changes by allowing more and more properties to be extended or converted especially backing on to the Dollis Valley Green Walk.
- This was once rural farmland. It was never intended to be overrun with flats.
- No officer should recommend increased development on a known flood plain.
- I and local residents are personally witnessing Dollis Valley landscape changes due to every new multi occupational development that now sits alongside it.
- We cannot cover the earth in concrete and not expect to experience dire consequences from our actions.
- Planning officers should take the environment into consideration when considering applications first and foremost and not ignore the consequences of allowing unsuitable developments in unsuitable areas.
- Removing trees, front and rear gardens contributes to climate change and here in Finchley and Hendon increased surface water now has nowhere to drain.

**Pages: 53 - 66**

**Ref: 17/5814/HSE**

## **5 Church Mount London N2 0RW**

The following paragraph should replace paragraph 5.1 within the officers report to clearly specify the date of the new National Planning Policy Framework and National Planning Practice Guidance (NPPF) and associated information.

{\b 5. Planning Considerations}

{\b 5.1 Policy Context}

{\ul National Planning Policy Framework and National Planning Practice Guidance}

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The revised National Planning Policy Framework (NPPF) was published on 24th July 2018. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. It is a material consideration in planning decisions. Similar material considerations are the Government's planning policy for traveller sites, and its planning policy for waste as well as Written Ministerial Statements where relevant to planning decisions.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

**Pages: 41 - 52**

**Ref: 18/2237/RCU**

**22 Golders Manor Drive, London, NW11 9HT**

A revised plan (ref: 2011/C003/04 Rev. D) has been received to provide an amended layout to the ground floor unit. The revision involves the reconfiguration of the kitchen / living rooms.

Condition 1 (Approved Plans) is therefore amended as follows:

OS Map

2011/C003/01 (Pre-Existing Floor Plans)

2011/C003/03B (Existing Floor Plans)

2011/C003/04D (Proposed Plans)

Sustainability Statement

Design and Access Statement

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).

Condition 7 is added as follows:

7. Within 1 month of the date of the decision notice, the ground floor layout as illustrated on drawing no 2011/C003/04D shall be implemented in full accordance with details as approved under this condition and retained as such thereafter.

Reason: To ensure that the proposed development provides adequate standard of accommodation for future occupiers in terms of outlook in accordance with Policies DM02 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS5 of the Local Plan Core Strategy (adopted September 2012) and the Sustainable Design and Construction SPD (2016).

A letter was received on 4 September 2018 from the neighbouring property at No.24 Golders Manor Drive, highlighting that the wording and requirement of condition no.6 did not adequately deal with the sound insulation issue. The condition stated "prior to occupation", however, the units are already occupied. As such the wording of "prior to first occupation" is removed and a time specific date has been added. As condition No.7 requires for the proposed internal layouts to be implemented within 1 month, the proposed sound insulation details would need to take into account these alterations. As such, it is considered that a period of 3 months to submit the sound insulation is suitable.

Condition 6 is amended as follows to remove prior to occupation and stipulates a timeframe for submission of details:

6. Within 3 months of the date of the decision notice and following the internal alterations as required under condition no.7, 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 2016).

The letter also raises a concern that the condition does not actually state the sound insulation measures to be installed. However, the applicant is only required to demonstrate that the proposal can comply with the Building Regulation standard and is down to them what measures they install to meet the standard.

A previous application (Barnet reference 16/4942/FUL) for a similar development was refused on 10 November 2016 for the following reasons:

1. The roof extensions, by reason of their design, size, bulk and siting, represent incongruous additions to the host property, that are detrimental to the character and appearance of the application site and this part of Golders Manor Drive more widely. The application is therefore found to be unacceptable and contrary to policies CS NPPF, CS1 and CS5 of the Barnet Core Strategy (2012), policy DM01 of the Barnet Development Management Policies document (2012), policy 7.6 of The London Plan (2016) and the guidance contained in the Barnet Residential Design Guidance Supplementary Planning Document (2016).
2. The living room/kitchen of Flat 1 would, by reason of its insufficient glazing, provide the future occupiers of this unit with a substandard form of accommodation through reduced outlook, detrimental to the living conditions of future residents. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (Adopted 2016), policy CS5 of the Barnet Core Strategy (Adopted September 2012), Standard 31 of the Mayors Housing Supplementary Planning Guidance (2016), policy DM02 of the Barnet Development Management Policies DPD (Adopted September

2012) and the advice contained in the Barnet Sustainable Design and Construction Supplementary Planning Document (Adopted 2016).

3. The proposed communal amenity space, by reason of its lack of screening, would create issues of overlooking and a loss of privacy to the occupiers of Flat 1, detrimental to the living conditions of future residents. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (Adopted 2016), policy CS5 of the Barnet Core Strategy (Adopted September 2012), Standard 31 of the Mayors Housing Supplementary Planning Guidance (2016), policies DM01 and DM02 of the Barnet Development Management Policies DPD (Adopted September 2012) and the advice contained in the Barnet Sustainable Design and Construction Supplementary Planning Document (Adopted 2016).
4. Flat 3, by reason of its limited internal space and head height would create an increased sense of enclosure for future occupiers, detrimental to their living conditions. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (Adopted 2016), policy CS5 of the Barnet Core Strategy (Adopted September 2012), Standard 31 of the Mayors Housing Supplementary Planning Guidance (2016), policy DM02 of the Barnet Development Management Policies DPD (Adopted September 2012) and the advice contained in the Barnet Sustainable Design and Construction Supplementary Planning Document (Adopted 2016).
5. No on-site parking is proposed and a parking survey has not been provided to confirm the availability of space on-street to accommodate the demand for parking arising from the development. The application fails to ensure that adequate and satisfactory provision is made for the parking of vehicles in connection with the development in the interests of pedestrian and highway safety and the free flow of traffic 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).

It is considered that this application has successfully overcome the previous reasons for refusal. The following points address how this application has overcome the above:

- i. The Enforcement Case on the roof extension has since been closed where it was established that the works were carried out within the restriction of permitted development with the exception of a section of the dormer not being set back 200mm from the eaves when it could have been. The eaves have since been reinstated and it is demonstrated that the works would have constituted permitted development.
- ii. The now proposed ground floor layout has re-arranged so that main habitable rooms benefit from a window and improved outlook.
- iii. A revised layout illustrating the side access to the rear garden is now proposed with new screening to prevent overlooking to the ground floor flat.
- iv. Plans have been submitted which illustrate that the loft flat can achieve adequate head height and complies with the minimum internal space requirements.

- v. A parking survey for a nearby development has recently been submitted and the Council's Traffic and Development service have taken this into account when considering this application. This survey demonstrated that there was an on-street parking stress between 56% and 58%. As such the non-provision of off-street parking in this instance was considered to be acceptable and would not have a detrimental impact in terms of over-spill parking.

**Pages: 67-92**

**Ref: 18/3599/FUL**

**1069 Finchley Road, London, NW11 0PU**

The 2 additional objections were received, which is summarised as follows:

- Parking survey is inaccurate
- Entrance to development is from Temple Gardens
- The survey does not consider the extra strain on parking from the 9 new, as yet unoccupied, flats built at the rear of the site

### 3. Proposal

On page 82, Proposal section, the first paragraph should be amended to read (changes underlined):

“The applicant seeks planning permission for the partial demolition of the existing building, including alterations to front and side elevations, and associated part four part five storey rear extensions to accommodate a mix use development. The scheme would involve office space at ground floor level and 9no. self-contained flats on the upper levels (including existing roof space), with associated 16no. cycle parking spaces, refuse/recycling provision and amenity space. In addition, the applicant seeks consent for the relocation of the entrance, new fenestration at front and front rooflights, in addition to the marginal increase of 0.5m of the ridge height to obscure the existing handrail and balustrade for the roof level. The scheme would not offer any off-street parking. “

### Highways

On page 88, the paragraph below (middle of page) has been amended to read as follows (additional line underlined):

“The parking survey shows that within the immediate proximity of the development the surrounding highway network is at parking capacity. The full 200m (in all directions) survey area is considered equally, however there is no "weighting" for parking pressure or available spaces close to the development. The planning inspectorate deems 200m (two minutes) a reasonable distance to walk for residents. All parking within the survey areas is considered equally.”

**Pages: 127 - 136**

**Ref: 18/3791/RCU**

**13 Leicester Road London N2 9DY**

The applicant has submitted a list of signatures (218) from their online petition in support of the application. Whilst the actual addresses of the signatories is not given, the geographical locations are varied being national and international. There are some 46 who give their location as London, Barnet, Finchley, East Finchley as well as other wider London locations.

**Pages: 145 - 170**

**Ref: 18/3477/FUL**

**546 Finchley Road, London, NW11 8DD**

The private amenity space provided to the rear of Unit 2 is 39.21m<sup>2</sup> instead of the 37.3m<sup>2</sup> referenced within the committee report.

**Pages: 171 - 198**

**Ref: 18/1354/FUL**

**55 Woodstock Road, NW11 8QD**

Amendment to Condition 1:

“The development hereby permitted shall be carried out in accordance with the following approved plans; Location Plan, Existing Ground Floor Plan Drawing No 01, Existing First Floor Plan Drawing No 02, Existing Loft Floor Drawing No 03, Existing Roof Plan Drawing No 04, Existing Front Elevation Drawing No 05, Existing Rear Elevation Drawing No 06, Existing Side Elevation Drawing No 07, Existing Section Drawing No 08, Existing Block Plan Drawing No 09 (All received 2nd March 2018)

Proposed Front Elevation Drawing No 16A, Proposed Rear Elevation Drawing No 17A, Proposed Side Elevation Drawing No 18B, Proposed Side Elevation Drawing No 19A, Proposed Section Drawing No 20A, Proposed Floor Plans Drawing No 21B, Proposed Ground Floor Drawing No 10B, Proposed Basement Plan Drawing No 11A, Proposed First Floor Drawing No 12B, Proposed Second Floor Drawing No 13B, Proposed Third Floor Drawing No 14A, Proposed Roof Plan Drawing No 15A, Proposed Block Plan Drawing No 22B”

Additional Condition 27:

“a) Development shall not begin until a scheme for protecting the adjoining properties from noise and vibration arising from the basement car park and access ramp has been submitted to and approved in writing by the Local Planning Authority.

The vibration protection scheme shall include such combination of land separation, vibration control techniques and other measures, as may be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The said scheme shall include such secure

provision as will ensure that it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

The noise and vibration 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 approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To safeguard the amenities of adjoining occupiers.”