

Addendum

Hendon Area Planning Committee

23 July 2019

Reference: 19/1491/FUL

Holmbush Court, Brent Street, London, NW4 2NS

Since the publication of the report, the requirement for Condition 10 has been discussed. The intention of this condition is to ensure that the additional units are sufficient to meet the needs of occupants with differing needs and allow adaptation to meet the changing needs of occupants over time. However, the condition requires amendment to address the lack of a lift in the existing building.

Condition 10 should be amended to read:

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) – with the exception of optional requirement (1)(a). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

Reference: 19/1986/FUL

16 Neeld Crescent, London, NW4 3RR

Since the publication of the report, the requirement for Condition 11 has been discussed. The intention of this condition is to ensure that the additional units are sufficient to meet the needs of occupants with differing needs and allow adaptation to meet the changing needs of occupants over time. However, the condition requires amendment to address the lack of a lift in the proposal.

Condition 11 should be amended to read:

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule

1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) – with the exception of optional requirement (1)(a). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

18/7114/FUL

39A-39B Flower Lane, London, NW7 2JN

- An objection has been received by the Council on 22 July concerning the planning application at this site.
- The letter comments on errors, omissions and misrepresentations that are contained in the report. These largely relate to the ownership of areas of land within and adjoining the site.
- Reference is made to covenants which would be contradicted by the grant of planning permission.
- If the application is approved, an injunction will be made against the permission and a judicial review shall be sought against the Committee.
- The applicant has been found not to be a legal entity and as a result, no party can be held responsible for the development.
- The consultation process has been flawed.
- Aspects of the planning statement and transport report are either misleading or insufficiently detailed.
- Insufficient information has been provided regarding the car stackers or the access lane.
- The summarisation of objections within the report is flawed, inaccurate, unfair and misleading and omits significant points.
- The stackers will give rise to a situation where people will not be able to park within the site but will have to do so in Flower Lane.
- Neighbours have been denied the right to engage in substantive consultation and have been deprived the right to make relevant representations.

Officer response:

- The report is considered to constitute an accurate representation of the planning application in the context of the Local Plan, relevant Supplementary Planning Guidance and the NPPF and NPPG.
- The matters raised in the most part consists of concerns about the conflict between the development and land ownership and relationship with the covenants set out in title deeds relating to the land.
- It should be noted that the applicant has submitted a relevant Ownership Certificate (B). In addition, the covenants about obstruction, siting and the nature of development are not

planning matters which influence the decision, but rather than additional obstacle for compliance which the applicant will need to address post-decision.

- The status of the applicant is not a material consideration in decision making and must not infer any suitability of the scheme and its compliance with the Development Plan.
- Consultation took place in December 2018 and May 2019 in accordance with the Statement of Community Involvement and following normal procedures. This has been based on the documents submitted by the applicants. Some documents are technical although it can be concluded that this information is required to arrive at the relevant technical conclusion.
- The stackers are considered to be appropriate and are a response to earlier concerns on land ownership encroachment.
- The reference to an appeal at another property simply serves as an illustration as to the appropriateness of car stackers.

The following site location plan should be added to the last page of the planning application agenda report:

