

# WEST AREA PLANNING SUB-COMMITTEE

5 December 2012

## ADDENDUM TO ACTING ASSISTANT DIRECTOR OF PLANNING & DEVELOPMENT MANAGEMENT'S REPORT

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All references in the recommendations which refer to the Assistant Director of Planning and Development Management should be amended to refer to the "Acting Assistant Director of Planning and Development Management"

### **7 Accommodation Road – Page 1 F/03540/12**

In informative 1 on page 1, add:

*In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant/ agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.*

Condition 2 should be reworded as follows:

"The rooflights/windows on the rear elevation shall remain obscured and restricted to 100mm opening.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM02 of the Development Management Policies DPD (2012)".

An objector has submitted additional comments which are can be summarised and addressed as follows:

- 1. The windows are approximately 50% larger than approved per Application No: F/01580/10 in 2010, pivot open and are not opaque. Direct overlooking into neighbours bedroom thus resulting in a loss of privacy.*

The windows are not considered to cause overlooking or result in a loss of privacy. A condition has been attached to ensure that the film remains in place in order to protect the amenity of neighbouring residents.

2. *Condition 3 of the approval under Application No: F/01580/10 "Before the building hereby permitted is occupied the proposed windows on the rear elevation shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority" The windows do open more than the 100mm claimed in the current application. They are also not obscured but in fact have a film covering which can be removed at a later stage.*

A condition has been attached to the officer's recommendation to ensure that a film/obscure glass remains in place in order to protect the amenity of neighbouring residents. The windows are only restricted to an opening of 100mm to aid ventilation and this has been conditioned.

3. *The battlements - party wall and coping stones - on either side are hideous and out of keeping with the conservation area and the rest of the street. The present re-application now implies that the large flank parapets are a necessary constructional element of the mansard roof.*

The impact of the parapet has been fully assessed and is not considered to harm the character of the conservation area.

4. *The impact of the building on the housing area to the rear - although there are developments on the rear of the some of the buildings in Accommodation Road, this is the first occasion that these buildings have been constructed where the rear aspect intrudes in the privacy of the properties of Woodstock Road.*

The design of the proposal does not cause a demonstrable harm to the character of the rear elevation. The film on the windows protects the privacy of neighbouring occupiers.

5. *The planning team claim that there were only 9 replies and only 2 people asked to speak. There were at least 12 objections and 6 people asked to speak.*

There were 12 objections received and 6 people request to speak.

6. *This committee is discussing a proposed variation between approved plans and what has actually been built. However no drawings have been submitted which show the proposed variation between the approved plans and what has been built.*

The previous application has been determined and the plans are available to view on-line. This application has been determined on its own merits and consideration has been taken in regard to the previous decision at the application site.

7. *The developer and the planning team had stated that there are a mixture of roof designs in this area. This is not true. As you can see*

*during the site visit this particular part of the terrace is actually quite consistent with only pitched roof designs and consistent roof ridge heights.*

There are a mixture of roof designs within the immediate area and this is noted within the report.

8. *Developer has actually built to an even greater height than proposed ~70 cm. The greater height and the scale of the new build does have a negative impact on the existing properties. The party walls contrive to make this the most imposing development in the rear of Woodstock Road.*

The raising of the roof ridge is not considered to cause a harm to the visual amenities of neighbouring occupiers.

9. *The previous officer's report dated 29 April 2010 in support of the approved plans (Proposal F/01580/10) stated that the "proposal extends the roof space rather than creating an additional floor". In fact a complete additional second floor has been built.*

The description of the Proposal F/01580/10 was 'Extension of roof including raised ridge height and rear mansard roof to provide an additional floor of office space.'

10. *Enforcement team did not serve notice and neighbours were not informed. Applicant's written statements in his application available on the council's website. If the Applicant's written assertions are true then a conflict of interest is evident.*

The enforcement team has been liaising to ensure that the development complies with the previously approved plans, this current application has been a result of enforcement investigations.

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#### **44 Purcells Avenue – Page 9 H/03172/12**

It should be noted that the extensions proposed are very similar to those approved previously by the sub-committee under reference H/03226/10. The only changes are a small increase to the height of the rear **projection** (this is an extension to the original house that has been constructed) and an infill front extensions.

**There are no rear extensions proposed.** The extension to the rear is simply an increase to the height of the existing rear projection on site.

**The description of development has been amended to** 'Variation of condition 1 (Plan numbers) for planning permission H/03226/10 dated 16/12/10 for "Amendment to previous planning application allowed under

appeal reference APP/N5090/A/08/2082935/NWF dated 22/01/2009 for 'Conversion of existing house into 4x2 bed flats and 1x1 bed flat, First floor rear extension and extension to roof with rooflights to front, side and rear elevations and conversion of garage to habitable room'.

Amendments include increase in height of existing first floor rear projection, and infill ground floor front extension.'

**Replace condition 2 (Time Limit) with:**

This development must be begun before 16/12/2013.

Reason:

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

**An additional objection was received after writing the report, as well as an objection to the amended plans from an existing objector. These can be summarised as follows:**

- Area is characterised by houses
- Increase in traffic
- Noise and disturbance

This brings the total number of objections to 10.

It should be noted that the agreement will be a Deed of Variation to the existing Unilateral Undertaking.

**Add condition**

Before the first occupation of the flats hereby permitted, means of enclosure and boundary treatment shall be completed in accordance with details to be submitted to and approved in writing by the local planning authority, and shall be permanently retained thereafter.

Reason: To ensure a satisfactory appearance for the proposed development.

**Amend Informative INF01B (Other)**

*The reasons for this grant of planning permission or other planning related decision are as follows: -*

- i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Core Strategy (2012) and Development Management Policies DPD (2012).*

*In particular the following policies are relevant:*

Core Strategy (Adopted) 2012: CS5

Development Management Policies (Adopted) 2012: DM01, DM02, DM17

Supplementary Design Guidance 5: Extensions to Houses

Supplementary Design Guidance 7: Residential Conversions

Supplementary Planning Document: Sustainable Design and Construction

Supplementary Planning Document : Planning Obligations

Supplementary Planning Document : Contributions to Education

Supplementary Planning Document : Contributions to Libraries

Supplementary Planning Document : Contributions to Health

ii) The proposal is acceptable for the following reason(s): -

The proposed development would provide additional housing units to meet a known demand. The proposals would not have a detrimental impact on the character and appearance of the area, or harm the amenities of neighbouring occupiers. It accords with the relevant policies. The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant/ agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

**Amend recommendation 1 to read:**

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 **Libraries (financial) £451.00**  
A contribution towards Library Facilities and Resources in the borough

<b>4</b>	<b>Health</b> A contribution towards Health Facilities and Resources in the borough	<b>£2,758.00</b>
<b>5</b>	<b>Monitoring of the Agreement</b> Contribution towards the Council's costs in monitoring the obligations of the agreement.	<b>£160.45</b>

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## **14 Dollis Avenue – Page 21**

In informative 1 on page 21, add:

*In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant/ agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.*

*The following amendments were negotiated as part of the determination of the application:*

- 1. The extant consent footprint/silhouette was re-plotted correctly.*
- 2. The rear building line was brought back so it more closely matches rearmost elevation of extant dwelling alignment.*
- 3. All projecting terraces/balconies were removed from the rear.*
- 4. The private amenity space for basement apartment was redefined with structural landscaping introduced.*
- 5. The front centre gable was replaced with hipped ridge.*
- 6. The design of the porch was altered.*
- 7. The ground level of the central rear garden was reduced.*
- 8. Blank window detailing was introduced to the flank walls.*
- 9. The penthouse has a retractable roof to the living room and a small inset terrace.*
- 10. Both 1<sup>st</sup> floor apartments have sliding half-width doors to the living rooms.*
- 11. Both 1<sup>st</sup> floor apartments have Juliette balconies to their bedrooms rather than recessed terraces.*

A petition has been received which contains 98 signatures, as opposed to 35 as stated in the report.

The ground of objections are considered to have been covered in the committee report.

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### **33 Norrice Lea – Page 51**

In informative 1 on page 53 amend reference to the Local Plan (2010) by Local Plan (2012) and add:

*In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant/ agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.*