

<u>MEETING</u> PLANNING COMMITTEE
<u>DATE AND TIME</u> MONDAY 23RD MAY, 2016 AT 6.00 PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
6.1	ADDENDUM TO THE OFFICERS REPORT	1 - 8

Paul Frost
paul.frost@barnet.gov.uk
020 8359 2205

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PLANNING COMMITTEE

23 May 2016

ADDENDUM TO SERVICE DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT AGENDA ITEM 6a

16/0288/FUL
Pages 21 - 62
The Spires, High Street, Barnet, EN5 5XY

The proposed unit sizes have been re-confirmed to the Council. Due to amended plans presented to the Council in February, the proposed unit sizes are as follows:

- Multi storey unit (MSU) = 2,272 sqm
- Restaurant (Unit 11) = 275 sqm
- Restaurant (Unit 12) = 370 sqm
- Restaurant (Unit 13) = 416 sqm
- Total = 3,333 sqm

Change of wording to condition 14 regarding the phasing, requiring the details to be approved to be submitted prior to the first occupation rather than the first commencement.

Before the development hereby permitted *is occupied*, a Centre Management Plan including details of centre access and management of public spaces, customer dispersal, means of enclosure of the shopping centre, and measures to prevent noise and disturbance from activities taking place in the southern service road shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the plan shall be implemented in accordance with the agreed Plan.

Following late comments from the Environmental Health department, the following informatives are proposed to address odour from cooking processes within the restaurants.

Odour

BESPOKE INFORMATIVE FOR FLUE

Please supply the following information:

1. The proposed hours of use of the equipment;
2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment;
3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map;
4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A);
5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

The following should be noted: Flues should be sited to minimise effects of vibration transmission and noise to any adjacent facade. Flues must incorporate anti-vibration mounts, flexible couplings and silencers. The height of the flue (must be minimum 1.5m above the highest eaves of the building and adjacent buildings*) and a reasonable distance approximately 20 metres from any open able residential windows unless there is suitable level of filtration and odour abatement equipment. The final discharge must be vertically upwards. There should be no Chinese hat or cowl on the top of the flue.

(*If the flue is in a conservation area then this height may be reduced to 1m above eaves)

ODOUR AND SMOKE INFORMATIVE

- A) DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005);
- B) DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010);
- C) Informative: Flue must be 1.5m* above eaves or any open able windows in the vicinity if there are sensitive premises in the vicinity. The final discharge must be vertically upwards. There should be no

Chinese hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. (*If the flue is in a conservation area then this height may be reduced to 1m above eaves)

D) Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list. To be requested for small developments without a noise report (bespoke informative)

16/1553/FUL

Pages 139 – 192

Brookdene, 71 Holden Road, London, N12 7DR

The site area has been re-calculated by the applicants. The site area has been revised upwards from 0.53ha to **0.549ha**. This results in a revised site density of **67 units** per hectare rather than 70.

Late comments have been received on this planning application from the Parks and Greenspaces team. They have set out the following comments:

- The proposed development is closer to the road so there are implications on both the street trees and the woodland to the rear
- The placement of the building would have a major impact on the trees and the expected dwellings with relation to daylight.
- The trees present an obstacle to access during the course of construction. Due to the location, fencing off of these trees may not comply with the requirements of BS:5837 2012
- The management plan contribution has reduced from £300,000 over 150 years to £50,000 over 50 years. This contribution would not be sufficient to cover the costs over this period if for example a tree falls and needs to be removed as well as litter picking and species removal the contribution would be used up.
- The woodland management plan would need tree inspections more frequently than biennially
- The Arboricultural Method Statement should be produced as a matter of priority to be able to assess how this development will be impact on the trees.

Officer response: The proposed development is no closer to the road than the previously refused application (15/04857/FUL) and as a result, the impact is no greater. The application was not refused on arboricultural grounds and given the smaller footprint and building envelope, it would be unreasonable to introduce this at this stage. These trees would be retained as existing at the front of the property. The applicant's daylight and sunlight assessment has indicated that the proposed units would not be impaired by the existence and retention of these trees. In the future, applications for works to these trees will be assessed on their own merits.

The woodland management plan has been reduced in scope. The applicant no longer wishes to provide a plan for its own implementation, but rather make a contribution to the Council for a light touch management implemented by the Council. The contribution is based on costed small scale interventions. However a tree removal is not included as these are reactive actions. Nevertheless, the cost of the contribution should be considered in the context of the overall affordable housing contribution. An increase of this contribution would result in a reduction in the affordable housing contribution and on balance, it is considered that the policy priority must rest with affordable housing. Given that the site has not enjoyed any management over any part of the preceding period of time, it is considered that the proposed contribution is a tangible benefit. An arboricultural method statement is required by condition.

The proposed contribution for Travel Plan incentives is corrected to read £5,550.00.

The proposed monitoring contribution for the Section 106 is corrected to read £4,998.99

Members are advised this application is required to be referred to the Department for Communities and Local Government and the grant of permission in accordance with the Committee's resolution will be subject to no direction to refuse or no call-in Direction being made by the Secretary of State and the legal agreement discussed in the Committee Report. The recommendation has therefore been amended to read as:

Subject to obtaining the Secretary of State's respective decisions not to direct refusal of permission and/or to call in the application and upon completion of the above Section 106 agreement the Director of Planning and Development Management be instructed to **APPROVE** the application reference 16/1258/FUL under delegated powers and grant planning permission subject to conditions.

Amend Recommendation 3 by inserting "by 15th July 2016" after "submitted"

Amend condition 4 to read as follows:-

"Before the development hereby permitted is occupied, the proposed parking spaces shall be provided within the parking area as shown on dwg no. 6APFS/P/050.010 Rev A . The parking spaces shall only be used as agreed including for drop – off and pick –up and shall not be used for any other purpose other than the parking or turning of vehicles in connection with the approved development"

Amend condition 5 by adding

"and shall be retained on site in accordance with the approved details for the duration of the permission."

Amend condition 14 by omitting "and annually thereafter"

Add the following condition:-

The premises shall be used as a school only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

This morning Members were emailed a full copy of an objection letter which had been summarised on the Council's planning website. The full version has now been uploaded onto the website. The comments raised in the objection letter have been summarised in the officer's report.

Minor alterations to the London Plan, dated 14 March 2016, have now been formally adopted. These alterations are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for London. The alterations made to the London Plan are not considered to impact upon any of the conclusions or analysis in respect of officers recommendations on this proposal.

15/07926/HSE
Pages 67 to 77
11 Middleton Road, London, NW11 7NR

Members are advised that since the publication of the original committee report a proposed certificate of lawfulness for the site has been deemed to be lawful (on 05.04.2016). This proposed the 'Excavation to increase the depth of the basement and associated internal alterations'.

Since the publication of the original committee report minor alterations to the London Plan, dated 14 March 2016, have been formally adopted. These alterations are now operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for London. The alterations made to the London Plan are not considered to impact upon any of the conclusions or analysis in respect of officers recommendations on this proposal.

16/2155/FUL
Pages 393 to 422
Land at Pavilion Way, Burnt Oak, Edgware, HA8 9YA

It can be confirmed that the application is contrary to development plan policies and national guidance on the protection of playing fields, sporting facilities and open space and has been advertised as such. However, on balance, in the specific circumstances of this proposal the actual harm caused by the conflict identified is outweighed by other important material planning considerations in the form of the planning benefits that the development would deliver. Primary to these is the provision of school places for which there is an identified local need.

Contrary to what is stated on page 413 of the committee report, it can be confirmed that 1 Category C tree would be removed as part of the proposal. This tree is not covered by a preservation order. The loss of this tree is found to be acceptable (subject to the other conditions recommended) in this instance and it is recommended that a refusal of the application on tree related grounds would not be justified in the circumstances of this case.

Minor alterations to the London Plan, dated 14 March 2016, have now been formally adopted. These alterations are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for London. The alterations made to the London Plan are not considered to impact upon any of the conclusions or analysis in respect of officers recommendations on this proposal.

16/2156/S73
Pages 423 to 440
Land at Pavilion Way, Burnt Oak, Edgware, HA8 9YA

It can be confirmed that the application is contrary to development plan policies and national guidance on the protection of playing fields, sporting facilities and open space and has been advertised as such. However, on balance, in the specific circumstances of this proposal the actual harm caused by the conflict identified is outweighed by other important material planning considerations in the form of the planning benefits that the development would deliver. Primary to these is the provision of school places for which there is an identified local need.

Condition 22 on page 429 of the committee report should be amended to read as follows:

"Total Number of Pupils

At no time shall the total number of pupils in the school hereby approved exceed 120

Reason:

To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.”

Minor alterations to the London Plan, dated 14 March 2016, have now been formally adopted. These alterations are operative as formal alterations to the London Plan (the Mayor’s spatial development strategy) and form part of the development plan for London. The alterations made to the London Plan are not considered to impact upon any of the conclusions or analysis in respect of officers recommendations on this proposal.

<p>16/0601/FUL Pages 329 – 392 112-132 Cricklewood Lane, London, NW2 2DP</p>

Page 342, Paragraph 5.5 – The reference to the Interest Free Loan should be deleted. The applicant has subsequently agreed an unconditional sale with the occupiers of the community facility so any reference to the interest free loan should be disregarded.

Page 370, Paragraph 15.3 – The application is not referable to the Mayor and accordingly the reference to a Stage 2 referral within this paragraph should be deleted.

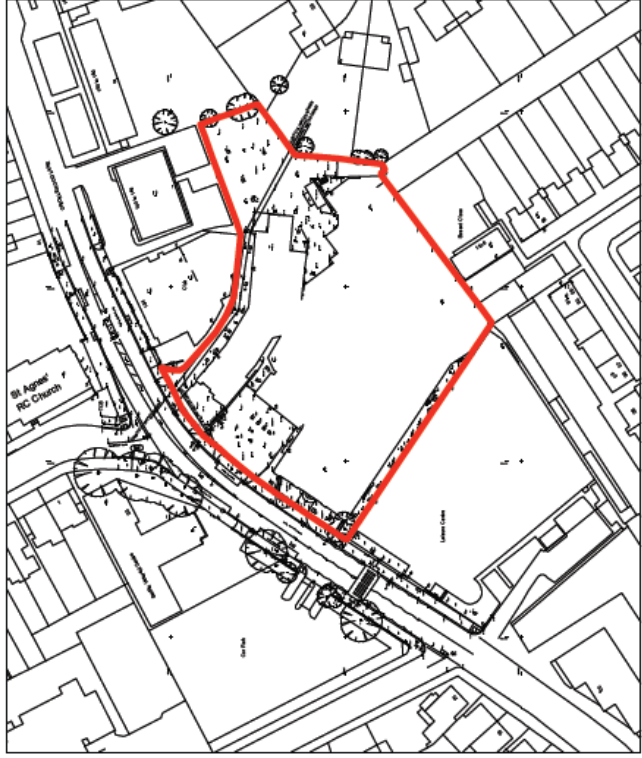
Page 372 – The site location plan incorrectly shows the Premier Place development site in Edgware Town Centre. The map should be replaced with the site location plan on the following page.

no.	date	initials	description

drawing: LOCATION PLAN
 project: 112 CRICKLEWOOD LANE
 drawing no: 1508-100
 revision: -
 status: PLANNING APPLICATION
 scale @ A3: 1:1250
 date: JAN 2016



John Pardey architects
 Beck Farm Studio St Leonards Road
 East End Lympington Hampshire SO41 5SR
 www.johnpardeyarchitects.com 01590 626465



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16/0112/FUL
Pages 267-328
102-124 Station Road And Car Park To Rear

Page 269 – The reference to Social Rent should be taken to also refer to Affordable Rent

Page 281, Paragraph 4.2 – Since the publication of the report, an additional 87 letters of support have been received from local residents supporting the application. In addition to 87 letters from local residents, 52 further letters of support were submitted by local businesses. All of the responses support the application for the following reasons:

- Provision of 122 new homes along with additional retail space, bring added vitality to Edgware Town Centre;
- Provision of 205 affordable housing;
- The location of the development adjacent to public transport links is appropriate;
- The development would provide 10 apprenticeship places, benefitting young people in the area.

Paragraph 2.3 should now make reference to 10 objections and 139 letters of support.

Pages 309-310, Paragraphs 14.6 – 14.9 – Since the publication of the report and after further consideration and discussion with officers, there has been a slight amendment to the proposed allocation of the parking spaces. The Application proposes 96 spaces which need to be shared with Premier House under current planning conditions. Only seven have been taken up by Premier House flat buyers leaving 89 spaces available.

It is now proposed that the 89 available spaces are allocated as follows:

- Disabled spaces: 10%
- Affordable family units: 10 spaces
- Car club: 2 spaces
- Affordable rented parking - remaining spaces: 60

The affordable rented parking would be available to residents of both Premier House and Premier Place and would be priced to make taking up space in the development better value than the cost of an annual Council parking permit.

In combination with a prohibition on occupiers applying for residents' parking permits and the fact that the site is within the most highly accessible location in Barnet, officers consider that these measures would help to alleviate any concern with regards to overspill parking in the surrounding area.

The affordable rented spaces would be secured through an appropriate mechanism within the Section 106 Agreement and as such, this should be included as an additional item within the Heads of Terms set out within the report.

16/1713/FUL
Pages 79-138
Imperial House, London, NW9 5AL

Page 79, Paragraph 4 – Within Block A there is also a self-contained business unit (Use Class B1) at first floor level. This has incorrectly been omitted from the description.

Page 82 – The reference to Social Rent should be taken to also refer to Affordable Rent.

Page 118, Paragraph 10.15 – The CIL liability is incorrect, this should be £385.252.

Page 92, Paragraph 4.2 – Since the publication of the report, additional representations have been received, objecting to the application. Paragraph 4.2 should now make reference to 15 objections.

Page 93 – The Stage 1 response from the GLA asked for several items of clarification within the Energy Statement, these have been addressed within a revised Energy Statement from AJ Energy Consultants (May 2016). This document should supersede the previous version.