

Decisions of the Planning Committee A

21 September 2022

Members Present:-

Councillor Nagus Narenthira (Chair)

Councillor Tim Roberts (Vice-Chair)

Councillors:

Councillor
Richard Barnes
Councillor
Lachhya Gurung

Councillor Elliot Simberg
Councillor Claire Farrier
(Substitute for Councillor
Danny Rich)

Apologies for Absence

Councillor Danny Rich

At the start of the meeting the Chair held a one minute silence in memory of Queen Elizabeth II.

The Chair confirmed that since the publication of the agenda Officers had asked that the following items be withdrawn:

- Item 10 – 10 Manorside, EN5 2LD - 22/3258/HSE (Underhill)
- Item 13a - 21/6385/S73, Development Site North Of Park House At Former 12 - 18 High Road London N2 9PJ which was deferred from a previous meeting and circulated as a Supplementary Agenda item.

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 01 September 2022 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor D Rich who was substituted by Councillor C Farrier.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (IF ANY)

Councillor C Farrier declared an interest in relation to Item 12, 123 Abbots Garden, N2 0JJ, 22/0951/HSE, as they had called the item in but they confirmed that they had not prejudged the item.

4. REPORT OF THE MONITORING OFFICE (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were dealt with under individual agenda items. The Committee noted the addendum to the Planning Agenda which was published and circulated prior to the meeting.

6. ALEXANDRA GROVE, N12 8NU - 22/3600/FUL (BARNET)

The report and addendum were introduced and slides presented by the Planning Officer.

The Committee received verbal representation from Svitlana Pyrkalo who spoke in objection to the application.

The Committee received verbal representations from Andrew Lewis for the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Councillor T Roberts proposed that a condition covering the consideration and efficacy of an acoustic fence up to 2m high be included. This was seconded by Councillor R Barnes.

Votes were recorded as follows:

For (additional Condition): 5

Against (additional Condition): 0

Abstention: 1

Following this, the Committee voted on the Officer recommendation to approve the application as set out in the report and the addendum with the additional condition set out below:

Votes were recorded as follows:

For (Approval): 6

Against (Approval): 0

Abstention: 0

RESOLVED that the application was **APPROVED** subject to the additional condition **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

Additional Condition:

Notwithstanding the details of the application, hereby approved, prior to the first occupation of the development a study shall be undertaken to establish the feasibility and efficacy of an acoustic fence up to a maximum of 2 metres to the rear of the

property. If the study demonstrates that an acoustic fence would be feasible and be efficient in mitigating noise disturbance from the garden, then the study shall set out full details and specifications of the fence to be installed. If the study demonstrates that an acoustic fence is not feasible and/or would not be efficient in mitigating noise disturbance from the garden, then the study shall alternatively set out full details of the alternative boundary enclosure to be installed. The study shall be submitted to and approved in writing by the Local Planning Authority and the conclusions of the study implemented in full prior to the first occupation of the development.

Reason: In the interests of local amenity (Policy DM01 of the Barnet Local Plan).

7. THATCHAM COURT HIGH ROAD LONDON N20 9QU - 22/3458/FUL (BARNET VALE)

The report was introduced and slides presented by the Planning Officer.

The Committee received verbal representations from Mr Simon Fraser and John Meehan who spoke in objection to the application.

The Committee received verbal representations from Zach Margolin on behalf of the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application.

Votes were recorded as follows:

For (Approval): 4

Against (Approval): 2

Abstention: 0

RESOLVED that the application was APPROVED subject to conditions AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

8. 11 GRUNEISEN ROAD, LONDON, N3 1LS - 21/6029/FUL (WEST FINCHLEY)

The report and addendum were introduced and slides presented by the Planning Officer.

The Committee received verbal representations from Ayman Shihadeh and Ms Helen Bee-Simons who spoke in objection to the application.

The Committee received verbal representations from Grant Leggett on behalf of the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to S106 as set out in the report.

Votes were recorded as follows:

For (Approval): 2

Against (Approval): 4

Abstention: 0

Therefore, the application was **NOT APPROVED**.

Councillor E Simberg moved the motion to refuse the application, which was seconded by Councillor R Barnes on grounds of overdevelopment due to height, scale and density of the building would not be in keeping with the character of the area. This would present symptoms of overdevelopment in the street scene.

The vote on the motion to refuse the application was recorded as follows:

For (Refusal): 4

Against (Refusal): 0

Abstention: 2

RESOLVED that the application was **REFUSED AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the reasons for refusal as set out provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

Reason for refusal:

- 1. The proposal, by reason of its overall design; scale; bulk; mass; and density is not in keeping with the character of the area and results in overdevelopment of the site contrary to policies D1, D2, D3, D5, D6, D7 and D8 of the London Plan (2021); policy CS5 of Barnet's Core Strategy (2012) and policy DM01 of Barnet's Development Management Policies Document DPD (2012).**

9. KING ALFRED PHOENIX THEATRE, IVY HOUSE, 94 - 96 NORTH END ROAD, LONDON, NW11 7SX - TPP/0969/21 (CHILDS HILL)

The report was introduced and slides presented by the Tree Officer.

There were no speakers in attendance.

The Committee had the opportunity to ask questions of the officers.

Councillor N Narenthira proposed that trees T6 sycamore and T7 horse chestnut be felled as set out in the Officers report including the requirement for replacement.

For (Felling): 4

Against (Felling): 2

Abstention: 0

Councillor N Narenthira proposed that tree T8 sycamore be retained for its amenity value as set out in the Officers report.

For (Retention): 6

Against (Retention): 0

Abstention: 0

RESOLVED that a split decision is made:

APPROVE SUBJECT TO CONDITIONS for trees T6 sycamore and T7 horse chestnut:

1. **The species, cultivar, size and siting of three replacement trees shall be agreed in writing with the Local Planning Authority and these replacement trees shall be planted before the end of the next planting season following the commencement of the approved treatment (either wholly or in part). If within a period of five years from the date of any planting, the trees is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), further planting of appropriate size and species shall be planted at the same place in the next planting season.**

Reason: To maintain the visual amenities of the area.

2. **Within 3 months of the commencement of the approved treatment (either wholly or in part) the applicant shall inform the Local Planning Authority in writing that the work has / is being undertaken.**

Reason: To maintain the visual amenities of the area.

REFUSE CONSENT for T8 Sycamore for the following reason:

The loss of the tree T8 Sycamore of special amenity value is not justified as a remedy for the alleged subsidence damage on the basis of the information provided.

10. 10 MANORSIDE, EN5 2LD - 22/3258/HSE (UNDERHILL)

This item was **WITHDRAWN** from the agenda at the start of the meeting.

11. 1 DANESCROFT GARDENS, LONDON, NW4 2ND - 22/2728/HSE (HENDON)

The report and addendum were introduced and slides presented by the Planning Officer.

The Committee received verbal representations from Jonathan Jay as the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Following discussions, the Committee voted on the Officer recommendation to refuse the application.

Votes were recorded as follows:

For (Refusal): 0

Against (Refusal): 6

Abstention: 0

The Officer recommendation having fallen Councillor T Roberts proposed, and Councillor E Simberg seconded that the application was not over-bearing on the neighbouring garden and that it should be approved.

Votes were recorded as follows:

For (Approval): 6

Against (Approval): 0

Abstention: 0

RESOLVED that the application was **APPROVED** subject to conditions **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan; Existing roof site plan 1DG-HOU-01; Existing plans 1DG-HOU-02; Existing elevations 1DG-HOU-03; Proposed roof site plan 1DG-HOU-04; Proposed plans 1DG-HOU-05A; Proposed elevations 1DG-HOU-06A

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).

2 This development must be begun within three years from the date of this permission.

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

3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted

September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4 Before the building hereby permitted is first occupied the proposed window(s) in the ___ elevation facing N0's 5, 7 and 9 Danescroft Gardens 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.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

5 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).

6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing N0 6 Danescroft Avenue.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

12. 123 ABBOTS GARDENS LONDON N2 0JJ - 22/0951/HSE (EAST FINCHLEY)

The report was introduced and slides presented by the Planning Officer.

The item had been called in by Cllr C Farrier.

The Committee received verbal representations from Colin Gay as the Applicant.

The Committee had the opportunity to ask questions of the speaker and Officers.

Following discussions, the Committee voted on the Officer recommendation to refuse the application.

Votes were recorded as follows:

For (Refusal): 0

Against (Refusal): 4

Abstention: 2

Councillor C Farrier recorded their abstention.

The Officer recommendation having fallen Councillor T Roberts proposed, and Councillor R Barnes seconded that the application was in keeping with the street scene and not excessive and that it should be approved.

Votes were recorded as follows:

For (Approval): 5

Against (Approval): 1

Abstention: 0

RESOLVED that the application was **APPROVED** subject to conditions **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

**1. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed Ground Floor, A102+A202
Existing and Proposed First Floor, A103+A203
Existing and Proposed Loft Plan, A104-A204
Existing and Proposed Roof Plan, A105-A205
Existing and Proposed Section 1, A106+A206
Existing and Proposed Section 1, A107+A207
Existing and Proposed Front Elevation, A108+A208
Existing and Proposed Rear Elevation, A109+A209
Existing and Proposed Side Elevation 1, A110+A210
Existing and Proposed Side Elevation 2, A111+A211
Location Plan
Existing and Proposed Block Plan, A101+A201.**

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).

2. This development must be begun within three years from the date of this permission.

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

3. The materials to be used in the external surfaces of the building(s) shall be as specified in the approved plans and application form.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted

September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing 121 Abbots Gardens.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

5. Before the building hereby permitted is first occupied the proposed window(s) in the first floor side elevation facing 121 Abbots Gardens 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.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

13. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

It was noted that the item that had originally been added to the agenda had subsequently been withdrawn.

- (a) **URGENT: DEVELOPMENT SITE NORTH OF PARK HOUSE AT FORMER 12 - 18 HIGH ROAD LONDON N2 9PJ - 21/6385/S73 (EAST FINCHLEY)**
This item was **WITHDRAWN** from the agenda at the start of the meeting.

The meeting finished at 9.30 pm