

Decisions of the Planning Committee B

27 September 2023

Members Present:-

Councillor Claire Farrier (Chair)
Councillor Arjun Mittra (Vice-Chair)

Councillor Gill Sargeant
Councillor Tony Vourou

Councillor Lachhya Gurung

Also in attendance

Apologies for Absence

Councillor Michael Mire

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 26 July 2023 be agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

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

None.

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. CROSSBILL APARTMENTS 452 FINCHLEY ROAD LONDON NW11 8DG - 23/1556/FUL - CHILDS HIL

The planning officer presented the report.

Antony Bor spoke in objection to the application.

The Committee received a verbal representation from the agent, Adam Trapford.

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 conditions as set out in report.

For (approval) 2

Against (approval) 4

Abstain 0

Councillor Farrier moved a motion seconded by Councillor Mitra, to refuse the application for the following reasons:

The proposed additional storey by reason of its massing, siting and design would appear visually dominating and obtrusive and be detrimental to the character and appearance of the streetscene, general locality and the local townscape. It would be contrary to policies D3 and D4 of the London Plan (2021), policies CS1 and CS5 of the Adopted Local Plan Core Strategy (2012), policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and the Adopted Residential Design Guidance (2016).

The proposed development would prohibit the installation of solar panels on the roof of the building, proposed as part of the original redevelopment of the site but not installed. As such the development fails to maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) as set out in policy S1.2 of the London Plan 2021.

The motion was carried. The Committee then voted to refuse the application which was recorded as follows:

For (refusal) 4

Against (refusal) 1

Abstain 1

RESOLVED that the application be **REFUSED** due to the proposed additional storey by reason of its massing, siting and design would appear visually dominating and obtrusive and be detrimental to the character and appearance of the streetscene, general locality and the local townscape. It would be contrary to policies D3 and D4 of the London Plan (2021), policies CS1 and CS5 of the Adopted Local Plan Core Strategy (2012), policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and the Adopted Residential Design Guidance (2016).

The proposed development would prohibit the installation of solar panels on the roof of the building, proposed as part of the original redevelopment of the site but

not installed. As such the development fails to maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) as set out in policy S1.2 of the London Plan 2021.

7. 262 BALLARDS LANE LONDON N12 0ET - 23/2638/FUL - WEST FINCHLEY

The planning officer presented the report.

The Committee received a verbal representation from Tony Bernstein who spoke in objection to the application.

The Committee received a verbal representation from the agent, Eyal Moran.

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 subject to conditions as set out in report.

For (refusal) 6
Against (refusal) 0
Abstain 0

RESOLVED that the application be 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 recommended conditions/obligations or reasons for refusal 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. 3 HILLVIEW ROAD LONDON NW7 1AJ - 23/2758/FUL- MILL HILL

The planning officer presented the report.

Mrs Frances Hardy spoke 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 approve the application subject to conditions as set out in report.

For (approval) 5
Against (approval) 1
Abstain 0

RESOLVED that the application be 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 or reasons for refusal 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)

9. 2 WINDSOR ROAD LONDON N3 3SS - 23/1512/FUL - FINCHLEY CHURCH END

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

The Committee received verbal representations in objection from Susan Whitby and David Kutner.

The Committee received verbal representations from the Agent, Mr Henry for the applicant.

Following discussions, the Committee voted on the officer recommendation to approve the application for the reasons set out in the report.

Votes were recorded as follows:

For (Approval): 2

Against (Approval): 4

Abstention: 0

Councillor Farrier moved a motion seconded by Councillor Mitra, to refuse the application for the following reasons:

The proposed development, by reason of the number of flats proposed would represent an overdevelopment of the site and therefore, cumulatively, have a detrimental impact on the character of the area, contrary to Policies CS1 and CS5 of the Local Plan Core Strategy (2012), Policy DM01 of the Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

The motion was carried. The Committee then voted to refuse the application which was recorded as follows:

For (refusal): 4

Against (refusal): 2

Abstention: 0

RESOLVED that the application be REFUSED due to the proposed development, by reason of the number of flats proposed would represent an overdevelopment of the site and therefore, cumulatively, have a detrimental impact on the character of the area, contrary to Policies CS1 and CS5 of the Local Plan Core Strategy (2012), Policy DM01 of the Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

10. 105 WEST HENDON BROADWAY LONDON NW9 7BN - 21/4352/FUL - WEST HENDON

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

The Committee received verbal representations in objection from Valdet Arifi.

The Committee received verbal representations from the Agent, Jan Donovan for the applicant.

Following discussions, the Committee voted on the officer recommendation to approve the application for the reasons set out in the report.

Votes were recorded as follows:

For (Approval): 2

Against (Approval): 3

Abstention: 1

Councillor Farrier moved a motion seconded by Councillor Mitra, to refuse the application for the following reasons:

The proposed development by reason of its size, scale, bulk, massing and design, would be overly dominant and visually obtrusive in the street scene, amounting to an overdevelopment of the site to the detriment of the character and appearance of the host property, the street scene and the surrounding area contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted 2016).

The proposed development by reason of its size, scale, height, bulk, massing and design would appear overbearing, resulting in a harmful sense of enclosure and loss of outlook which would be detrimental to the residential amenities of existing occupiers of properties in Stuart Avenue, particularly 24, 26 and 28, contrary to policies CSNPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), policies DM01 and DM02 of the Development Management Policies (adopted September 2012), the Residential Design Guidance SPD (adopted 2016) and Sustainable Design and Construction SPD (adopted 2016).

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM08 of the Adopted Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

The proposed development does not provide a legal agreement to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy (adopted September 2012) and policy DM17 of the Adopted Development Management Policies DPD (adopted September 2012).

The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy SI.2 of the London Plan (2016), Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM04 of the Adopted Development Management Policies DPD (adopted September 2012).

The proposed development does not include a formal undertaking to provide a Local Employment Agreement (LEA) to deliver skills, employment and training opportunities, and a contribution towards loss of employment floorspace, to the detriment of the economy of the Borough and contrary to Policies CSNPPF, CS8 and CS15 of the Local Plan: Core Strategy DPD (2012), Policy DM14 of the Local Plan: Development Management Policies DPD (2012) and the Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (2014)

The proposed development fails to provide a comprehensive scheme of landscaping, including a formal undertaking to deliver street trees along this part of West Hendon Broadway, to compensate for the impact of the building on visual amenity and improve air quality, to the detriment of the character and appearance of the street scene and surrounding area, contrary to Policy G.7 of the London Plan (2016), Policies CSNPPF, CS1, CS5 and CS15 of the Local Plan: Core Strategy DPD (2012) and Policy DM01 of the Local Plan: Development Management Policies DPD (2012).

The scheme fails to provide methods of mitigation to address air quality deficits with the scheme and as such would contribute to a deterioration in air quality at this location contrary to policy DM04 of the of the Adopted Development Management Policies DPD (2012) and London Plan policy Sl.1 (2021).

The motion was carried. The Committee then voted to refuse the application which was recorded as follows:

For (refusal): 3
Against (refusal): 2
Abstention: 1

RESOLVED the application be **REFUSED** due to the proposed development by reason of its size, scale, bulk, massing and design, would be overly dominant and visually obtrusive in the street scene, amounting to an overdevelopment of the site to the detriment of the character and appearance of the host property, the street scene and the surrounding area contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted 2016).

The proposed development by reason of its size, scale, height, bulk, massing and design would appear overbearing, resulting in a harmful sense of enclosure and loss of outlook which would be detrimental to the residential amenities of existing occupiers of properties in Stuart Avenue, particularly 24, 26 and 28, contrary to policies CSNPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), policies DM01 and DM02 of the Development Management Policies (adopted September 2012), the Residential Design Guidance SPD (adopted 2016) and Sustainable Design and Construction SPD (adopted 2016).

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan

Core Strategy (adopted September 2012), Policy DM08 of the Adopted Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

The proposed development does not provide a legal agreement to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy (adopted September 2012) and policy DM17 of the Adopted Development Management Policies DPD (adopted September 2012).

The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy SI.2 of the London Plan (2016), Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM04 of the Adopted Development Management Policies DPD (adopted September 2012).

The proposed development does not include a formal undertaking to provide a Local Employment Agreement (LEA) to deliver skills, employment and training opportunities, and a contribution towards loss of employment floorspace, to the detriment of the economy of the Borough and contrary to Policies CSNPPF, CS8 and CS15 of the Local Plan: Core Strategy DPD (2012), Policy DM14 of the Local Plan: Development Management Policies DPD (2012) and the Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (2014)

The proposed development fails to provide a comprehensive scheme of landscaping, including a formal undertaking to deliver street trees along this part of West Hendon Broadway, to compensate for the impact of the building on visual amenity and improve air quality, to the detriment of the character and appearance of the street scene and surrounding area, contrary to Policy G.7 of the London Plan (2016), Policies CSNPPF, CS1, CS5 and CS15 of the Local Plan: Core Strategy DPD (2012) and Policy DM01 of the Local Plan: Development Management Policies DPD (2012).

The scheme fails to provide methods of mitigation to address air quality deficits with the scheme and as such would contribute to a deterioration in air quality at this location contrary to policy DM04 of the of the Adopted Development Management Policies DPD (2012) and London Plan policy SI.1 (2021).

11. 42 WOODSIDE AVENUE LONDON N12 8AX - 23/1679/FUL - TOTTERIDGE & WOODSIDE

The planning officer presented the report.

The Committee received a verbal representation from the agent, Chris Georgiou.

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 conditions as set out in report and the additional below condition:

Notwithstanding the details shown on the submitted drawings, before the development hereby permitted is first occupied turning space and parking spaces for 4 cars shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and policy T6.1 of the London Plan (adopted 2021).

For (Approval):5

Against (Approval): 0

Abstain: 1

RESOLVED that the application be APPROVED subject to the additional 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 or reasons for refusal 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)

Notwithstanding the details shown on the submitted drawings, before the development hereby permitted is first occupied turning space and parking spaces for 4 cars shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and policy T6.1 of the London Plan (adopted 2021).

12. 61 FINCHLEY LANE LONDON NW4 1BY - 23/2928/FUL - HENDON

The planning officer presented the report.

The Committee received a verbal representations from Jodi Benaim and Mark Nicholls who spoke in objection to the application.

The Committee received a verbal representation from the agent, Joel Gray.

The Committee received a verbal representation from Councillor Mark Shooter who spoke in objection to the application.

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 conditions as set out in report.

For (Approval):0

Against (Approval): 6

Abstain:0

Councillor Mearing Smith moved a motion seconded by Councillor Mittra, to refuse the application for the following reasons:

The outbuilding, by reason of its excessive footprint, size, design and siting, would be a disproportionate, unsympathetic and incongruous form of overdevelopment which would fail to respect the appearance, scale, mass and pattern of surrounding buildings and spaces, to the detriment of the character and appearance of the host property and the wider locality, contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the LB Barnet Local Plan Core Strategy DPD (2012), Policy DM01 of the LB Barnet Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

The outbuilding, by reason of its excessive scale, height, depth and siting, would represent an incongruous and visually obtrusive form of development and result in an undue sense of enclosure to the rear gardens of 59 and 63 Finchley Lane, to the detriment of the residential amenities of neighbouring occupiers, contrary to Policy D3 of the London Plan (2021), Policy CS5 of the LB Barnet Local Plan Core Strategy DPD (2012), Policy DM01 of the LB Barnet Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

The motion was carried. The Committee then voted to refuse the application which was recorded as follows:

For (Refusal): 6

Against (Refusal): 0

Abstain: 0

RESOLVED that the application be REFUSED due to the outbuilding, by reason of its excessive footprint, size, design and siting, would be a disproportionate, unsympathetic and incongruous form of overdevelopment which would fail to respect the appearance, scale, mass and pattern of surrounding buildings and spaces, to the detriment of the character and appearance of the host property and the wider locality, contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the LB Barnet Local Plan Core Strategy DPD (2012), Policy DM01 of the LB Barnet Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

The outbuilding, by reason of its excessive scale, height, depth and siting, would represent an incongruous and visually obtrusive form of development and result in an undue sense of enclosure to the rear gardens of 59 and 63 Finchley Lane, to the detriment of the residential amenities of neighbouring occupiers, contrary to Policy D3 of the London Plan (2021), Policy CS5 of the LB Barnet Local Plan Core Strategy DPD (2012), Policy DM01 of the LB Barnet Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

**13. 9 KINGSWOOD PARK LONDON N3 1UG - 23/2211/HSE - FINCHLEY CHURCH
END**

The planning officer presented the report.

The Committee received a verbal representation from the agent, Daniel Leon.

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 conditions as set out in report.

For (approval) 6

Against (approval) 0

Abstain 0

RESOLVED that the application be **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 or reasons for refusal 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)

14. ANY ITEM(S) THAT THE CHAIR DECIDES ARE URGENT

None.

The meeting finished at 9.45 pm