

Decisions of the Chipping Barnet Area Planning Committee

20 June 2018

Members Present:-

Councillor Stephen Sowerby (Chairman)
Councillor Wendy Prentice (Vice-Chairman)

Councillor Alison Cornelius Councillor Reema Patel
Councillor Tim Roberts Councillor Weeden-Sanz
Councillor Laurie Williams

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 24th April 2018 be agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

Councillor Prentice declared a non-pecuniary interest in Item 12, 1 Sunset View Barnet EN5 4LB, as she knows two of the objectors to the application.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were considered under individual agenda items.

6. NEW SOUTHGATE CEMETERY AND CREMATORIUM, BRUNSWICK PARK ROAD, LONDON N11 1JJ (BRUNSWICK PARK)

The Committee received the report. Members were given the opportunity to question the officer.

A vote was taken on confirming the Tree Preservation Order, as follows:

For	7
Against	0
Abstentions	0

RESOLVED...

1. That the Council, under Regulation 7 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 confirms the London Borough of Barnet New Southgate Cemetery (Brunswick Park Road frontage) Brunswick Park Road, London N11 1JJ Tree Preservation Order 2018 without modification.

2. That the person(s) making representations be advised of the reasons.

7. 1 - 6 MONKSWELL COURT COLNEY HATCH LANE LONDON N10 2JH (COPPETTS)

The Committee noted that the item be WITHDRAWN from the agenda as objectors had not been notified.

8. 7 - 21 MONKSWELL COURT COLNEY HATCH LANE LONDON N10 2JH (COPPETTS)

The Committee noted that the item be WITHDRAWN from the agenda as objectors had not been notified.

9. 22 TO 27 MONKSWELL COURT COLNEY HATCH LANE LONDON N10 2JH (COPPETTS)

The Committee noted that the item be WITHDRAWN from the agenda as objectors had not been notified.

10. 44 BROOKHILL ROAD BARNET EN4 8SL (EAST BARNET)

The Committee received the report. The Planning Officer confirmed that there was a slight change to condition 8 in the published report and that this should read;

‘8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by any of **Classes A to E** of Part 1 of Schedule 2 of that Order shall be carried out within the area of 44 Brookhill Road as hereby approved without the express planning consent of the local planning authority first being obtained.’

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).’

Representations were heard from the applicant’s agent.

A vote was taken on the Officer’s recommendation to approve the application as follows:

For	7
Against	0
Abstentions	0

RESOLVED that...

The application be APPROVED subject to conditions,

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

11. 11 DURY ROAD BARNET EN5 5PU (HIGH BARNET)

The Committee received the report. Members were given the opportunity to question the officers.

A vote was taken on the Officer's recommendation to approve the application as follows:

For	7
Against	0
Abstentions	0

RESOLVED that...

The application be APPROVED subject to conditions,

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

12. 1 SUNSET VIEW BARNET EN5 4LB (HIGH BARNET)

The Committee received the report and addendum. Representations were heard from Mr Robin Bishop (Chair of the Barnet Society), Mr William Foster, and Mr Huseyin Cicek, the applicant's agent.

A vote was taken on the Officer's recommendation to APPROVE the application as follows:

For	1
Against	6
Abstentions	0

It was moved by Councillor Prentice and seconded by Councillor Cornelius that the Officer's recommendation be overturned and that the application be REFUSED for the following reasons;

1. The proposed two-storey side extension, by reason of its size, siting, height and the fenestration detailing including loss of the garage door would result in an obtrusive and uncharacteristic form of development highly visible within the streetscene which would disrupt the established character of buildings in the immediate locality, result in the

loss of the garage door which is a common feature of this part of the Conservation Area and would reduce the gaps between the neighbouring properties reducing the glimpsed views through to and from the Conservation Area which are characteristic of the area. In this regard, the proposal is considered unacceptable, and would detract from the character and appearance of the host property and the wider area and would fail to preserve or enhance the character and appearance of the Monken Hadley Conservation Area , contrary to policies CS1 and CS5 of the Barnet Core Strategy (Adopted September 2012), policy DM01 and DM06 of the Barnet Development Management Policies Document (Adopted September 2012) policy 7.4 and 7.6 of the London Plan (2016) and the advice contained in the Barnet Residential Design Guide Supplementary Planning Document (Adopted 2016).

2. The proposed two storey side extension by reason of its size, siting, height and relationship to adjoining neighbouring property would be unduly obtrusive and result in a harmful loss of outlook detrimental to the visual and residential amenities of the occupiers of N0.3 Sunset View. The application is therefore considered to be unacceptable and contrary to Policy DM01 of the Barnet Development Management Policies DPD (2012), Policy 7.4 and 7.6 of the London Plan (2016) and the guidance contained within the Barnet Residential Design Guidance Supplementary Planning Document (2016).

Informative:

1. In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) 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 applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

A vote was taken on the motion to REFUSE the application as follows:

For (refusal)	6
Against (refusal)	0
Abstentions	1

RESOLVED that the application be REFUSED for the reasons detailed above.

13. 91 AND 91A LONGMORE AVENUE BARNET EN5 1JZ (OAKLEIGH)

The Committee received the report and addendum. Representations were heard from Mr Tony Riley, Mrs Mary De Cruz and the applicant's agent, Ms Mary Nagy.

A vote was taken on the Officer's recommendation to REFUSE the application as follows:

For (refusal)	2
Against (refusal)	5
Abstentions	0

It was moved by Councillor Sowerby and seconded by Councillor Roberts that the Officer's recommendation be overturned and that the application be APPROVED (subject to conditions) for the following reasons;

The application will not have a detrimental impact on the character or appearance of the area nor the residential amenities of the surrounding neighbourhood occupiers.

Subject to the conditions detailed below;

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

The plans accompanying this application are:

- Design and Access Statement, prepared by Teal Planning
- Cover letter, dated 28 April, written by Teal Planning
- Drawing no. 2016- 580/103 Rev B

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. The new flat roof area created by the removal of the pitch roof above the existing first floor rear 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).

Informative:

In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

A vote was taken on the motion to APPROVE the application as follows:

For (approval)	5
Against (approval)	0
Abstentions	2

RESOLVED that the application be APPROVED for the reasons detailed above.

14. SPRINGDENE NURSING HOME 55 OAKLEIGH PARK NORTH LONDON N20 9NH (OAKLEIGH)

The Committee received the report and addendum. The Planning Officer highlighted to Members the requirement for a Section 106 agreement as included in the addendum.

Representations were heard from the applicant's agent, Mr Simon Wallis.

A vote was taken on the Officer's recommendation to approve the application as follows;

For	6
Against	0
Abstentions	1

RESOLVED that...

The application be APPROVED subject to conditions and the completion of a S106 agreement 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. The completion of a Section 106 legal agreement to secure the following:**
- 4. The Council's legal and professional costs of preparing the Agreement and any other enabling agreements.**
- 5. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.**
- 6. A contribution of £435,076 towards affordable housing.**
- 7. A review mechanism for the proposed development to be implemented after 80% of the units have been sold if the development has not achieved the "shell**

and core" standard 24 months from the date of the grant of the Planning Permission and achieved Practical Completion of the Development by the date that is 30 months from the date of the grant of the Planning Permission.

8. Provision of:

One (1) Apprenticeship during the construction phase of the Development in accordance with a programme to be agreed with the Council's Skills and Enterprise team; and

One (1) Place for Progression into employment (less than 6 months);

One (1) Place for Progression into Employment (6 months or more); and

Four (4) Work Experience placements

Twenty Five (25) students from local school/college attending a site visit

Twenty Four (24) students from local school/college participating in a construction awareness workshop delivered by the site

Use reasonable endeavours to ensure that 30% of its labour force during the construction of the Development shall be Barnet residents.

9. Meeting the Council's costs of monitoring the planning obligation - £2500

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management or Head of Strategic Planning.

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

15. 157A AND 157B HOLDEN ROAD LONDON N12 7DU (TOTTERIDGE)

The Committee received the report. Representations were heard from Mrs Melanie Morley and Mrs Fenil Khiroya, and the applicant's agent Mr Joe Henry.

A vote was taken on the Officer's recommendation to approve the application as follows;

For	2
Against	2
Abstentions	3

The Chairman used his casting vote to vote in favour of approving the application.

RESOLVED that...

The application be APPROVED subject to conditions,

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

16. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 20.55