

Decisions of the Planning Committee

24 July 2019

Members Present:-

Councillor Shimon Ryde (Chairman)
Councillor Melvin Cohen (Vice-Chairman)

Councillor Claire Farrier	Councillor Mark Shooter
Councillor Eva Greenspan	Councillor Stephen Sowerby
Councillor Brian Gordon	Councillor Julian Teare
Councillor Nagus Narenthira	Councillor Laurie Williams
Councillor Tim Roberts	

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 24 June 2019, be agreed as a correct record.

2. CHAIRMAN INTRODUCTION

The Chairman welcomed everyone to the meeting and explained the running order.

3. ABSENCE OF MEMBERS

None.

4. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Councillor	Interest
Eve Greenspan	Councillor Eve Greenspan declared a pecuniary interest in agenda item 8 relating to Westhorpe Gardens and Mills Grove London NW4 2TU. She stated that she once lived next door to the site address and hoped to move into a flat near the location. Councillor Greenspan withdrew from the meeting for the duration of the item and did not take part in the consideration or decision-making process.
Brian Gordon	Councillor Brian Gordon declared a pecuniary interest in agenda item 6 relating to 143 Edgwarebury Lane HA8 8ND. He stated that the item was considered at the Hendon Area Planning Committee and informed Members that he was the Chairman. He stated that because of this he felt that he had predetermined the application. Councillor Gordon withdrew from the meeting for the duration of the item and did not take part in the consideration or decision-making process.
Nagus Narenthira	Councillor Nagus Narenthira declared a pecuniary interest in agenda item 6 relating to Colindale Station And 167 - 173 Colindale Avenue And Flats 1- 6 Agar House, Colindale

	Avenue, NW9 5HJ & 5HR. She stated that she had objected to the application during the consultation process and noted that her comments had been made prior to her becoming a member of the Planning Committee and therefore she confirmed that she had predetermined the item. Councillor Narenthira withdrew from the meeting for the duration of the item and did not take part in the consideration or decision-making process.
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5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM (IF APPLICABLE)

Items contained within the agenda would be considered under individual agenda items.

7. 143 EDGWAREBURY LANE

Prior to the consideration of the item Councillor Gordon withdrew from the meeting as he had earlier in the meeting made a pecuniary declaration.

Before the item was considered Councillor Shooter and Councillor Greenspan questioned why this application was submitted to the Committee having been determined by the Hendon Area Committee. Mr Jimmy Walsh from Harrow Public Law noted that the Council's Monitoring Officer ruled that the application be reheard by the Planning Committee for legal and constitutional reasons. Mr Walsh further added that reasons for consideration were highlighted within the Officer's report.

Mr Fabien Gaudin from the Planning Service, Re introduced the report and the addendum to the report.

A verbal representation was made in objection by substitute speaker Mr Sunny Depala who spoke in objection on behalf on Mr Stephen Davies who was unable to attend the meeting. The applicate made a verbal representation in support of the application.

Members had the opportunity to question all speakers.

Having considered the report the Chairman moved the vote of the officers' recommendation as illustrated and therefore:

Resolved

That the Planning Committee did note agree with the Officers recommendation to refuse the application.

Votes were recorded as follows:

For refusal - 4

Against refusal – 6

The Officers recommendation was lost. The Chairman then moved the following reasons to overturn the Officers recommendation and agree the application contrary to the Officers report, this was seconded by Councillor Eva Greenspan

- No harmful impact on the amenity of the adjoining neighbours.
- No demonstrable impact on the local streetscene and the character and appearance of the area.

The Chairman request that the above reasons for approval be voted on.

Votes were recorded as follows:

For approval with reasons - 6

Against approval – 4

The Governance officer in attendance requested that a second vote be taken which is captured above as the first vote was not clear.

Resolved

- **The Planning Committee Approved the application for the reason's provided above.**
- **That it be noted that this was contrary to the Officers report to refuse the application, therefore the Planning Committee overturned the Officer recommendations as contained in the report.**

8. COLINDALE UNDERGROUND STATION

Prior to the consideration of the item Councillor Narenthira withdrew from the meeting as she had earlier in the meeting made a pecuniary declaration.

Mr Andrew Dillion from the Planning Service, Re introduced the report and the addendum to the report.

A verbal representation was made in objection by Mrs Julie Davies, Mr Aryeh Grosskopf and Ward Member, Councillor Gill Sargent. The applicate made a verbal representation in support of the application.

Members had the opportunity to question all speakers.

Having considered the report the Chairman moved the vote of the officers' recommendation as illustrated and therefore:

Resolved

- **That the Planning Committee Approved the application subject to conditions and informatives as recommended within the Officers report.**
- **That the Planning Committee Approved the following two additional conditions.**

- 1. No reserved matters application shall be submitted until a material start has taken place in connection with the construction of the new underground station. No residential unit shall be occupied until the new station is fully operational.*

Reason: To ensure that sufficient public transport capacity improvements are delivered and in place to support the development and the surrounding Colindale opportunity area and to ensure the development accords with the outline permission in accordance with

policies 6.1, 6.2, 6.3 & 6.4 of the London Plan 2016 and policies CS9 and DM17 of Barnet's adopted Local Plan.

2. *Prior to the first use of the new station, details of public art features shall be submitted to and approved by the Local Planning Authority prior to first use. Any artwork shall be installed in accordance with the approved details.*

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

Votes were recorded as follows:

For - 7

Against - 3

The Chairman noted that the decision was subject to approval by the Mayor of London.

9. WESTHORPE GARDENS AND MILLS GROVE LONDON NW4 2TU

Prior to the consideration of the item Councillor Greenspan withdrew from the meeting as she had earlier in the meeting made a pecuniary declaration.

Mr Josh Mclean from the Planning Service, Re introduced the report and the addendum to the report.

A verbal representation was made in objection by Mrs Emily Benedek. Mr Dave Adams made a verbal representation in support of the application. The applicant's agent provided a verbal response.

Members had the opportunity to question all speakers.

Having considered the report the Chairman moved the vote of the officers' recommendation as illustrated and therefore:

Resolved

That the Planning Committee Approved the application subject to conditions and informative as recommended within the Officers report.

Votes were recorded as follows:

For - 6

Against - 2

Abstain – 2

10. RE-DESIGNATION OF MILL HILL NEIGHBOURHOOD PLAN AREA AND FORUM

Mr Nick Lynch from the Planning Service, Re introduced the report and the addendum to the report.

A verbal representation was made in objection by Mr Jonathan Klaff. The applicant Mr John Gillett made a verbal representation in support of the application.

Members had the opportunity to question all speakers.

Having considered the report the Chairman moved the vote of the officers' recommendation as illustrated and therefore:

The Planning Committee unanimously:

Resolved:

- a) Note the responses (as set out in Appendix 4) to the application for the redesignation of the Mill Hill Neighbourhood Plan Area and Forum;
- b) Note the content of the Mill Hill Neighbourhood Forum Constitution;
- c) Refuse the re-designation of the Mill Hill Neighbourhood Plan Area as shown edged black in Appendix 1 for the reason set out in this report;
- d) Refuse the re-designation of the Mill Hill Neighbourhood Plan Forum as set out in Appendix 2 for the reason set out in this report.

11. ARTICLE 4 DIRECTION

Mr Nick Lynch from the Planning Service, Re introduced the report and the addendum to the report.

Having considered the report the Chairman moved to the vote and the Officer's recommendation as illustrated and therefore:

The Planning Committee unanimously:

Resolved:

- That Committee noted the responses to the consultation on the non-immediate Article 4 as set out in Appendix 6 Resolved
- That Committee approved confirmation of an Article 4 Direction withdrawing permitted development rights for changes of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses) at the locations listed in Appendix 1.
- That Committee approved confirmation of an Article 4 Direction withdrawing permitted development rights for changes of use of a building and any land within its curtilage from Class B1(c) (light industrial) to Class C3 (dwellinghouses) at the locations listed in Appendix 2.
- That the Committee will consider reviewing the confirmation of an Article 4 Direction to withdraw permitted development rights for changes of use from storage and distribution (Use Class B8) to residential use (Use Class C3) should this permitted right be reintroduced in the future.

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

There was no urgent business.

The meeting finished at 21:40