

## PLANNING COMMITTEE

24 February 2016

### ADDENDUM TO SERVICE DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT

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**15/03343/FUL**  
**Elmbank, Barnet Road**  
**Pages 5-66**

As part of this application, the applicant has offered a voluntary contribution of £50,000 toward the relevant procedures (including consultation exercises, review and implementation) required in respect of introducing parking controls. Therefore, Recommendation I of the report to be changed to include the following additional clause:

8. Contribution of £50,000 toward parking controls in the area surrounding Barnet Hospital

#### Additional Representations

It is noted that since the previous committee hearing (4 February 2016) a petition has been lodged on the council's website to "Reject planning application 15/03343/FUL ELMBANK for demolition of existing buildings and erection of 114 residential dwellings (93 flats and 21 houses), car parking, landscaping and associated works". At the time of publication of this addendum, the petition had attracted 116 signatures.

Since the publication of the committee report, four letters have been received making the following comments:

- Concerned residents created a petition on 10 February on the council's website.
- The proposal exceeds the acceptable density range.
- On-site parking provision is not enough and will result in additional cars being parked along neighbouring roads which are already overburdened by parking issues arising from hospital users and local school events.
- The site is 1.9km from High Barnet tube station and is not accessible to a town centre.
- Proposal will compromise road function and safety of road users due to the single aspect and proximity to an accident hotspot.
- Proposed access requires refuse vehicles to use both sides of the road.
- Proposed access is almost opposite a junction, is near a bend in Barnet Road, and is adjacent to an accident hotspot.
- Over 80% of the units are apartments and this is not in keeping with the immediate surroundings which are detached and semi-detached houses.
- Local schools are oversubscribed.
- Refuse collection arrangements will be dangerous due to manoeuvring restrictions

**15/0/FUL**  
**35 Windsor Road**  
**Pages 67-84**

Paragraph 1.2 of the cover report should read: 'The Committee resolved to refuse the planning application against the officer's recommendation'.

Four additional objections have been received and listed below with the officer's comments:

Potential Increase in on street parking: Previously addressed within the officers delegated report.

Harm the character of the area: Previously addressed within the officers delegated report.

Drainage issues from the hard standing in the garden: This element has been removed from the plans

Loss of a single family house: The ground floor unit is considered sufficiently large to accommodate a family.

**15/06898/RMA**  
**Phase 4c Millbrook Park**  
**Pages 285 - 332**

Since the publication of the committee report, two additional letters have been received making the following comments:

- The proposals will adversely affect the residents at 40 To 62 Thirleby Road and the residents of Aplin and Farrier house which back onto the proposal affecting light, privacy, outlook and quality of life due to the close proximity of the proposed houses.
- Proposal fails to take account of privacy in rear gardens.
- The distance separation proposed fails to take account of changes to levels and the increased height of the proposed properties.
- Failure to take account of religious needs of residents which include devoutly religious Jewish and Muslim persons who will be made prisoners in their own homes due to loss of privacy and will be contrary to the Equalities Act.
- Objection to social housing being located within development behind Thirleby Road.
- Properties on Thirleby Road experience significant drainage issues which the proposal does not address.

*Officer Comment. The proposed houses and apartment blocks are in a position and height which has already been agreed in principle under the Outline Planning Approval for this site. The scheme maintains a 21 metre distance separation between the first floor of the proposed houses facing Thirleby Road as well as a 10.5m separation from the proposed gardens. This accords with the Council's Policies contained with the Supplementary Planning Document Sustainable Design and Construction. Where the proposal does not accord with these standards, such as in relation to Block A amendments have been made to the design of this building to avoid issues. It is also considered that the proposal has incorporated design measures to mitigate against the change in levels through the use of features such as split levels at the front and rear and the use of sunken rear gardens and hipped roofs.*

*The Council's Policy does not provide for alternative separation distances based on the religious or ethnic affiliation of neighbouring residents and it would be unreasonable to expect the Council to apply different standards based on these factors.*

*The scheme involves 12 affordable units out of 89, which are located in two mini clusters in the north and the south of the site. This is considered acceptable and is in any event required to be provided under the Outline Planning Permission.*

*In Relation to Drainage, the proposal should reduce the potential for flooding to the rear gardens of properties in Thireleby Road due to the proposed excavation of the rear garden areas and the incorporation of Sustainable Urban Drainage features such as permeable paving throughout the phase. The drainage for the scheme will also feed into the Millbrook Park Site Wide Drainage Strategy which has been previously approved.*

Additional Plans submitted by the applicant namely Block A Plans 1 2100 D and Block A Plans 2 2101C to correct a technical inaccuracy, in regards to a window not being shown and a grill being placed in the wrong position.

Amend Condition 2 to read as follows:

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

Site Location Plan - 2000

Existing Site Levels - 2001

Masterplan – 2002 A

Proposed Site Plan - GF entry level- 2003 A

Proposed Roof Plan- 2004 A

Proposed Boundary Plan- 2005

Proposed Car Parking/ Cycle Plan 2006

Proposed Waste Storage and Collection Plan 2007

Proposed Street Elevations 1 2009 B

Proposed Street Elevations 2 2010

Proposed Street Elevations 3 2011 B

~~Thireleby Road end house view – Opt A 2021~~

~~Thireleby Road end house view – Opt B 2022 A~~

View from open space to Block B 2023

Planting area corner Block B 2024

~~Thireleby Road end house view – Opt C 2025~~

**View from End House of Thireleby Road – Opt 3 2029**

Schedule of Accommodation 2020

~~Block A Plans 1 2100 B~~

**Block A Plans 1 2100 D**

~~Block A Plans 2 2101 B~~

**Block A Plans 2 2101 C**

Block A Plans 3 2102 B

Block A Elevations 2103 A

Block B Plans 1 2104 A

Block B Plans 2 2105 A

Block B Elevations 2106

Block C Plans and Elevations 2107 A  
3 Bed Type 1 2110  
3 Bed Type 3 2111 A  
3 Bed Type 3 Plots 35 and 36 2112 A  
3 Bed Type 3 Plot 21 2113  
3 Bed Type 3 Plot 42 2114  
3 Bed Type 5 Plot 7 2115 A  
3 Bed Type 5 Plot 10 2116 A  
3 Bed Type 5 Plot 11 2117 A  
3 Bed Type 7 2118  
4 Bed Type 2 2119 A  
4 Bed Type 2 Plots 8 and 9 2120  
4 Bed Type 4 2121  
4 Bed Type 4 Plot 23 2122  
4 Bed Type 4 Plot 24 and 30 2123  
4 Bed Type 5 2124 A  
4 Bed Type 7 2125  
5 Bed Type 1 2126 A  
5 Bed Type 2 2127 A  
5 Bed Type 3 2128  
5 Bed Type 4 2129  
5 Bed Type 5 2130  
5 Bed Type 6 2131

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

**15/06417/OUT**  
**Phase 6b Millbrook Park**  
**Pages 333 - 374**

Since the publication of the Committee Report there has been an additional consultation response from the Council's Scientific Services Team. The Comments raise no objection to the proposal subject to the attachment of requested conditions.

Add Conditions:

40. Air quality assessment of CHP Plant

a) Before development of the CHP Plant commences, an air quality assessment report, written in accordance with the relevant current guidance, shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2015.

#### 41. Noise report for CHP plant

a) No development shall take place until details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the CHP and boiler plant; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

#### 42. Acoustic Fencing to be Constructed

a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

#### 43. Noise mitigation measures

a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated mixed-source noise has been submitted to and approved in writing by the Local Planning Authority. These shall be in line with the mitigation measures recommended in the Atkins noise report dated 27 Jan 2016.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

**15/04442/FUL**  
**Imperial House**  
**Pages 219-284**

Since the publication of the committee report, an additional representation has been received on behalf of the adjoining occupiers of the Cavendish Banqueting Suites. The representation can be summarised as follows:

The fundamental concern is that the development has not given due regard to the adjoining property as existing and in terms of its development potential. Specifically in relation to:

- The height and density of the proposed development;
- The potential for overlooking of the Cavendish Banqueting Suites site from the proposed development;
- The distance of the proposed development from the boundary of the site;
- The impact on the development potential of the neighbouring Cavendish Banqueting Suites site;
- Adequacy of daylight/ sunlight evidence in relation to impact in this regard to neighbouring premises.

Pages 219-284 - Please note references throughout the report refer to 4 self-contained B1 units. There are in fact 5 units, with the 5th unit located at first floor level in addition to the 4 at ground floor level of Block A. The floorspace of the units reported is correct.

Pages 230-231, Paragraphs 2.5-2.10 - The balustrades are reported as being glass. This is an error, the balustrades are proposed to be metal railings. Further details of the balustrades are required as part of Condition 4 and thus the exact form and fabrication of the balustrades will be agreed at this stage.

Page 235, Paragraph 4.6 – The response from the London Fire Brigade queries how emergency services will access the development. Please note that the Transport Assessment prepared by EAS confirms that the emergency services will be able to access the development through the main entrance gate from Edgware Road at paragraphs 2.25(ii), 4.3, 5.2, 5.15 and 7.15.

Page 240, Paragraph 6.8 – The explicit Estimated Land Value from the viability report is reported within this paragraph. This is an error and should not be included in the report. Nevertheless, the justification for the affordable housing level of 25% is not altered.

Page 256, Paragraph 8.25 - 'XX' should read 28.5 metres. New sentence to read as follows:

*“With regards to TNQ, whilst the height of the proposed development would be similar to that of the building there would be a separation distance of approximately 28.5 metres.”*

Page 270, Appendix 2 - Condition 2 (Approved Plans) should also include reference to drawing ref: GS.00.

