

Decisions of the Chipping Barnet Area Planning Committee

24 April 2018

Members Present:-

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

Councillor Alison Cornelius
Councillor Tim Roberts
Councillor Laurie Williams

Councillor Reema Patel
Councillor Kathy Levine

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 26 March 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)

None.

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. 4 POTTERS ROAD BARNET EN5 5HW

The Committee received the report.

Representations were heard from Miss Zoe Fitzpatrick, Mr Kiran Filby, Councillor David Longstaff and the applicant.

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

For –	4
Against –	1
Abstained –	2

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. 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/obligations or reasons for refusal 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).

7. 44 HOLDEN ROAD LONDON N12 7DN

The Committee received the report and addendum.

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
Abstained –	0

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and any amendments come back to the committee;

2. 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/obligations or reasons for refusal 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).

8. 233 - 237 EAST BARNET ROAD BARNET EN4 8SS

The Committee received the report and addendum.

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

For –	5
Against –	1
Abstained –	1

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. 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/obligations or reasons for refusal 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).

9. 1323 HIGH ROAD LONDON N20 9HR

The Committee received the report.

Representations were heard from the applicant's agent.

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

For (refusal) –	2
Against (refusal) –	5
Abstained –	0

It was moved by Councillor Sowerby and seconded by Councillor Williams that the Officer's recommendation be overturned and that the application be approved as it provides new housing, new shopping facilities and its appearance is acceptable in the streetscene.

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

For (approval) –	5
Against (approval) –	2
Abstained –	0

RESOLVED that...

1. the application be approved subject to the following conditions;

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

The plans accompanying this application are: 01/A/EX Rev A (Existing Floor Plans), 02/A/PP Rev H (Proposed Floor Plans), 04/A/EE Rev A(Existing Elevations), 05/A/PE Rev F (Proposed Elevations), Energy and Sustainability Statement prepared by Build Energy dated August 2017, Highways and Parking Statement prepared by Mode Transport Planning dated October 2017, Parking Survey, Design and Access Statement prepared by The Town Planning Experts dated February 2017.

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. a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

4. a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5. a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6. a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

7. Before the building hereby permitted is first occupied the proposed window(s) in the North and South elevation 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 April 2013).

8. Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

9. a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

10. a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

11. Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

12. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

13. Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

14. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

15. The Class A1/A2 uses hereby approved shall not be open to customers or staff before 6:30am or after 8pm from Monday to Friday, or before 8am or after 8pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and the new dwellings in the development hereby approved in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

16. The commercial units, hereby approved, shall be used for use class A1 (Retail) or A2 (Financial and Professional Services) and no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order, 2015 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan,

and any amendments come back to the committee;

2. 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/obligations or reasons for refusal 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).

10. FOLLY FARM BURTONHOLE LANE LONDON NW7 1AS

The Committee received the report and addendum.

Representations were heard from Mr Kevin Green (representing the Mill Hill Preservation Society), the applicant's agent, Tracey Rust.

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

For (approval) –	3
Against (approval)	3

Abstained –	1
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The Chairman used her casting vote to vote against approving the application.

It was moved by Councillor Williams and seconded by Councillor Patel that the Officer’s recommendation be overturned and that the application be refused for the following reasons:

1. The development, by reason of the size and siting of the proposed house, would fail to maintain the openness of the green belt and would therefore be an inappropriate form of development within the Green Belt for which no very special circumstances have been demonstrated. The development would therefore be to contrary to Policies 7.4 and 7.6 of the London Plan (2016), policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM15 of Barnet’s Local Plan Development Management Policies (Adopted September 2012), and paragraphs 89 and 90 of the National Planning Policy Framework Published 2012.

2. The development, by reason of the size, siting and design of the proposed house, would fail to respect its semi-rural green belt location and would be harmful to the character and appearance of the locality, contrary to policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM15 of Barnet’s Local Plan Development Management Policies (Adopted September 2012).

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

For (refusal)	3
Against (refusal) –	3
Abstained –	1

The Chairman used her casting vote to vote in favour of refusal.

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

**11. HIGH PROSPECT AND LAND REAR OF ROGATE AND SAXBY ARKLEY DRIVE
BARNET EN5 3LN**

The Committee received the report and addendum.

Representations were heard from Mr Simon Birnbaum, Mr Mitchell Moore, Councillor David Longstaff, and the applicant’s agent, Mr Joe Henry.

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

For –	4
Against –	3
Abstained –	0

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. 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/obligations or reasons for refusal 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. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

Councillor Sowerby thanked the Chairman for her work chairing the Chipping Barnet Area Planning Committee.

The Chairman thanked the Officers for their work on the Committee.

The meeting finished at 21:12