

Chipping Barnet Area Planning Committee
17 July 2018
Addendum to Officers Report

All the reports included in the agenda should be amended to reflect the change in the title of the service director as per the below:

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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)

18/2390/FUL Wessex Court 51 West End Lane Barnet EN5 2RA

Condition 12 to be worded as follows

Before the development hereby permitted is first occupied

- a) access to the parking area from the public highway, the access to the parking spaces, turning and parking spaces including a disabled space 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.
- b) The newly marked out car parking spaces shall be allocated for the sole use of Wessex Court residents and shall be maintained as such thereafter.

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 6.1, 6.2 and 6.3 of the London Plan 2015.

Additional comments from objector residing at No. 62 West End Lane EN5:

I remain opposed to this fundamentally bad plan.

1.It is architecturally out of keeping with West End Lane - mainly Victorian two-storey cottages. The street's attractive, historical quality has no precedent for a mansard roof /dormer windows or balconies. This extension would be bulky and aesthetically incongruous.

2.The plans include 10 new parking spaces. Residents of Gladstone Place & Wessex Court already park there - the real increase is 3. The resultant parking problem would worsen the already grossly limited parking in WE Lane. The much referred to (in planning meetings) illegal parking behind Wessex Court is grossly exaggerated and used as a ruse to distract from the actual great shortage of parking in the Lane. Hence, residents must double-park, park in a turning space, on the corner

entering Gladstone Place (blocking visibility), and mount the pavement. The inclusion of the rear garages is a sleight of hand by the developer - these are let out privately to non-residents for their own desired use. A proposal in the last committee meeting for their dedicated rental (not ownership!) by residents 'for cars only' is unenforceable. The garages do not represent parking 'provision' for the WC residents at all.

3. Worsened congestion, parking availability and increased turning difficulties will further jeopardise highway safety for pedestrians, especially children. A cul-de-sac engenders pedestrian ownership, and children often walk and play in the Lane. Adults and children alike already suffer the dangers of vehicles mounting /parking on the pavement, large vehicles and 'fair weather' drivers struggling to manage with the street dimensions. Likewise, parked-car scrapes and knocked-over motorbikes are already frequent.

4. The plan includes amenity space currently used by Bells Hill. Surely, amenity space is calculated as a meterage per resident, not per two residents? This is another sleight of hand by the developer which should be investigated by the council.

18/2591/FUL Site Of Barnet Market, Chipping Close, Barnet, EN5 4LP

Revision to Condition 1 (Approved Plans). Drawing PL004 Rev. B has replaced PL004 Rev. A. The revision is to allow for a slight adjustment to the size of the ground floor kitchen. The revised condition reads as follows:

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

Site Location Plan (PL001)
Proposed Landscape Plan (PL002 Rev. A)
Proposed Ground Floor Plan (PL004 Rev. B)
Proposed First Floor Plan (PL005 Rev. A)
Proposed Second Floor Plan (PL006 Rev. A)
Proposed Third Floor Plan (PL007 Rev. A)
Proposed Roof Plan (PL008 Rev. A)
Proposed Sections (PL010 Rev. A)
Proposed Elevations (PL011 Rev. A)

Drainage Strategy (ARUP - 3 July 2018)
Air Quality Assessment (ARUP - 25 April 2018)
Acoustic Planning Report (ARUP - 25 April 2018)
Sustainability Statement (ARUP - 26 April 2018)
Utilities Report (ARUP - 25 April)
Archaeological Evaluation Report (Museum of London Archaeology Service - June 2008)
Daylight and Sunlight Report (Malcolm Hollis - 27 April 2018)
Delivery and Servicing Management Plan (rpg - April 2018)
Transport Statement (rpg - April 2018)
Travel Plan (rpg - April 2018)
Ground Investigation Report (Hunter - September 2017)
Heritage Statement (Turley - April 2018)
Tree Survey (FLAC - April 2018)

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).

Add Condition 38 (Secured by Design) which reads:

Prior to the first occupation of the development hereby approved, a 'Secured by Design' accreditation shall be obtained and submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

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Condition 11 to be revised to read as follows

a) No development shall take place until details of the location, extent and depth of all excavations for foundations and services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to the railway tunnel shaft on site, and a method statement for implementation including issues surrounding the shaft and approval of the said foundations, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the amenity of future residents in accordance with Policy CS5 of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

New Condition to be inserted.

Evidence that ground investigation works has been carried out under the supervision of Network Rail asset protection team, should be submitted to the Local Planning Authority prior to the commencement of the development

Reason: To ensure no inadvertent danger to the railway beneath and to safeguard the amenity of future residents in accordance with Policy CS5 of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

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Section 4 should be revised to read:

Consultation letters were sent to 147 neighbouring properties – 70 objections were received and 2 letters of support were received.

Additional Informative added (see Nos 3-17). The informatives should read

- 1 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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 5 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 6 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be

carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is advised that the site is located within close proximity of schools and therefore deliveries during the construction period should be avoided between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs.

Careful consideration must be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 10 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, 4-6 weeks before the start of works on the public highways.
- 11 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from Barnet House, 11th Floor Highways, 1255 High Road Whetstone London N20 0EJ
- 12 Prior to commencement of works, the applicant will be required to obtain the necessary licenses and traffic orders from the Highways Authority. The applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses.
- 13 Although the Internal roads will not be considered for adoption, construction to adoptable standards will be required to allow refuse vehicles to enter the site to undertake refuse collection.
- 14 The applicant is advised that emergency services need to be consulted to ensure that the new development proposal meets the emergency access requirements.
- 15 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage

resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrsua@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 16 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
17. The applicant is advised that Network Rail will require an asset protection agreement to be entered into prior to the start of construction. Details of the contact for asset protection is shown below.

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 2A
George Stephenson House
Toft Green
York
Y01 6JT
Email: assetprotectionlne@networkrail.co.uk

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Second to last paragraph to read:

This application proposes utilising an existing laneway (between 47 and 49) shown as part of the application site. The applicant has completed certificate C of the application form and submitted evidence to show that appropriate site notice has been served to other persons with an interest in the land/site. The access would be widened to 4.1m and would serve as an access/egress to 6 No. semi-detached dwellings from the turning head of Beresford Avenue.