

Decisions of the Finchley and Golders Green Area Planning Committee

15 April 2019

Members Present:-

Councillor Eva Greenspan (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Melvin Cohen
Councillor Claire Farrier
Councillor Danny Rich

Councillor Shimon Ryde
Councillor Alan Schneiderman

1. MINUTES OF LAST MEETING

Resolved – the minutes were APPROVED.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

Item	Councillor	Declaration
12 - 290-294 Golders Green Road	Cllr John Marshall	Declaration of interest by virtue of the applicant being known to him. Cllr Marshall would leave the room for this item
12 - 290-294 Golders Green Road	Cllr Melvin Cohen	Declaration of interest by virtue of the applicant being known to him.
14 - Menorah Primary School	Cllr Melvin Cohen	Declaration of interest by virtue of being a LEA School Governor. Cllr Cohen would leave the room for this item.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM

An addendum was received in relation to Items 7, 8, 9, 10, 11, 13, 14, 15, 18, 19 and 20 on the agenda.

6. MILLERS YARD LONG LANE LONDON N3 2QG 18/5511/FUL

The Planning Officer presented the report and addendum to the Committee.

Ms Jodi Newton spoke in objection to the application.

Ms Lisa Cheung spoke on behalf of the applicant.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 0

Against (approval) – 7

Cllr Rich moved a motion to refuse the application, seconded by Cllr Farrier, on the following grounds:

The proposed replacement building, by reason of its increased floorspace would result in an increased intensification of the site and associated activities resulting in a detrimental impact on the residential amenity of local neighbouring properties, contrary to Policy CSS of Barnet's Adopted Core Strategy (2012) and Policy DM01 of the Adopted Development Management policies DPD (2012).

The vote was recorded as follows:

For (refusal) – 7

Carried – the application was REFUSED.

Informatives

1. Plans

The plans accompanying this application are:

EX.01 (Location Plan & Block Plans)

EX.01 (Existing Plan)

EX.02 (Existing Elevations)

P.01 C (Proposed Plan)

P.02 C (Proposed Elevations)

Planning Statement

Planning Statement Addendum (dated 15/03/2019)

In accordance with paragraphs 38-57 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. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

7. 213 - 215 GOLDERS GREEN ROAD LONDON NW11 9BY 18/0579/RCU

The Planning Officer presented the report and addendum to the Committee.

It was noted that Condition 6 was removed as per the addendum.

There were no speakers.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 7

Resolved – the application was APPROVED.

**8. MENORAH PRIMARY SCHOOL 1 - 3 THE DRIVE LONDON NW11 9SP
18/0216/S73**

Cllr Cohen left the room for this item.

The Planning Officer presented the report and addendum to the Committee.

It was noted that the conditions were revised in their entirety as per the addendum.

There were no speakers as the item was deferred from the meeting of Finchley & Golders Green Area Planning Committee held on 12 February 2019. The objectors and applicant had addressed the Committee at this meeting.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6

Against (approval) – 0

Resolved – the application was APPROVED.

**9. TEMPLE FORTUNE HOUSE FINCHLEY ROAD LONDON NW11 6XH
19/0759/FUL**

The Planning Officer presented the report and addendum to the Committee.

It was noted that Condition 2 was amended, and Condition 3 was removed, as per the addendum.

Ms Despina Mavrommati spoke in objection to the application.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6
Abstained – 1

Resolved – the application was APPROVED.

**10. TEMPLE FORTUNE HOUSE FINCHLEY ROAD LONDON NW11 6XH
19/0068/LBC**

The Planning Officer presented the report and addendum to the Committee.

It was noted that Condition 2 was amended, and Condition 3 was removed, as per the addendum.

Ms Despina Mavrommati spoke in objection to the application.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6
Abstained – 1

Resolved – the application was APPROVED.

11. ARCADE HOUSE FINCHLEY ROAD LONDON NW11 7TL 19/0758/FUL

The Planning Officer presented the report and addendum to the Committee.

It was noted that Condition 2 was amended, and Condition 3 was removed, as per the addendum.

Ms Despina Mavrommati spoke in objection to the application.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6
Abstained – 1

Resolved – the application was APPROVED.

12. ARCADE HOUSE FINCHLEY ROAD LONDON NW11 7TL 19/0078/LBC

The Planning Officer presented the report and addendum to the Committee.

It was noted that Condition 2 was amended, and Condition 3 was removed, as per the addendum.

Ms Despina Mavrommati spoke in objection to the application.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6

Abstained – 1

Resolved – the application was APPROVED.

13. WELLINGTON PLACE GREAT NORTH ROAD LONDON N2 0PN 18/4897/FUL

Cllr Marshall moved a motion to defer the application to seek legal advice in respect of a letter received from solicitors acting on behalf of residents. This was seconded by Cllr Rich.

The vote was recorded as follows:

For (deferral) – 7

Carried – the application was DEFERRED.

14. 185 WEST HEATH ROAD LONDON NW3 7TT 19/0648/FUL

The Planning Officer presented the report to the Committee.

Mr Steven Isaacs spoke in objection to the application.

Ms Linda Aitken spoke on behalf of several residents in objection to the application.

Mr Andrew Newington, the applicant, addressed the Committee.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 2

Against (approval) – 4

Abstained – 1

Cllr Ryde moved a motion to refuse the application on the grounds below and was seconded by Cllr Farrier:

The proposed development by reason of its size, siting, bulk and design would have an overbearing appearance which would be detrimental to the visual and residential amenities of the occupiers of surrounding properties and would result in overlooking of 183A West Heath Road leading to a loss of privacy detrimental to the amenities of the occupiers of that property. The development would therefore be contrary to policies CS1 and CS5 of the Adopted Core Strategy 2012, policy DM01 of the Adopted Barnet Development Management Policies DPD 2012, the Adopted Residential Design Guidance 2016 and the Adopted Sustainable Design and Construction SPD 2016.

The vote was recorded as follows:

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

Resolved – the application was REFUSED.

Add the following informatives The plans accompanying this application are:

1) The plans accompanying this application are:
1801 S 01 Rev - Existing Location and Block Plan;
1801 S 02 Rev - Existing Roof Plan;
1801 S 03 Rev - Existing Plans;
1801 S 04 Rev - Existing Front and Rear Elevations;
1801 S 05 Rev - Existing Side Elevations;
1801 AP01 Rev - Proposed Block Plan;
1801 AP02 Rev - Proposed Site Plan;
1801 AP03 Rev - Proposed Lower Ground Floor Plan;
1801 AP04 Rev - Proposed Upper Ground Floor Plan;
1801 AP05 Rev - Proposed Upper Floor Plans;
1801 AP06 Rev - Proposed Roof Plan;
1801 AP07 Rev - Proposed Front Elevations;
1801 AP08 Rev - Proposed Rear Elevations;
1801 AP09 Rev - Proposed Side Elevations;
1801 AP20 - View from 183A Rear Garden;
1801 AP21 - View from 183A Rear Balcony;
1801 AP22 - View from 183A Rear Roof Terrace;
1801 AP23 - Green Wall example of proprietary system;
Tree Report - by Trettec; and
Planning Statement prepared by Michael Burroughs Associates; and
Sustainability Report prepared By Charlton Brown Architects.

2) This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to any future appeal process:
The Mayor of London adopted a Community Infrastructure Levy (CIL) charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for a £0 per sq m rate for education and health developments. This planning application was assessed as liable for a payment under Mayoral CIL at this time.

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 were set at a rate of £0 per sq m. This planning application was assessed as liable for a payment under Barnet CIL at this time.

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

Liability for CIL is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is

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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: 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 Extension: 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 www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil for further details on exemption and relief.

3 In accordance with paragraphs 38-57 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 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 sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

15. LAND ADJACENT 38 NEEDHAM TERRACE LONDON NW2 6QL 18/6874/FUL

The Planning Officer presented the report to the Committee.

Mr James O'Sullivan spoke in objection to the application.

Ms Iris-Ann Stapleton spoke in objection to the application.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 4

Against (approval) – 3

Resolved – the application was APPROVED subject to a Section 106 Agreement.

16. CREIGHTON HOUSE CREIGHTON AVENUE LONDON N2 9BE 19/0622/FUL

The Planning Officer presented the report and addendum to the Committee.

Mr Michael O'Shea spoke in objection to the application.

The applicant was not present.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 5

Against (approval) – 2

Resolved – the application was APPROVED.

17. 290 - 294 GOLDERS GREEN ROAD LONDON NW11 9PY 17/7568/S73

Cllr Marshall left the room for this item.

The Planning Officer presented the report to the Committee.

There were no speakers – the application was deferred at the meeting of Finchley and Golders Green Area Planning Committee held on 12 March 2019 at which two objectors and the applicant had spoken.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 3
Against (approval) – 0
Abstained – 3

Resolved – the application was APPROVED subject to a Section 106 Agreement.

18. 33 RANULF ROAD LONDON NW2 2BS 19/0965/FUL

The Planning Officer presented the report to the Committee.

Ms Philippa Strauss spoke in objection to the application.

Mr Alfie Yeatman spoke in objection on behalf of a neighbour living adjacent to the property.

Mr Billy Patterson, agent for the applicant, spoke to the Committee.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 6
Abstained – 1

Resolved – the application was APPROVED.

19. 47 - 49 WOODSTOCK ROAD LONDON NW11 8QD 19/0996/S73

The Planning Officer presented the report and addendum.

Reasons for the conditions were noted as per the addendum.

There were no speakers.

The Chairman moved to the vote on the officer's recommendation:

For (approval) – 4
Against (approval) – 2
Abstained – 1

Resolved – the application was APPROVED subject to a Section 106 Agreement.

20. PLANNING ENFORCEMENT AND PLANNING COMMITTEE APPEALS UPDATE 2018

The report was noted.

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

The meeting finished at 20:16

