

**Finchley and Golders Green Area Planning Committee 13<sup>th</sup> November 2018**  
**Addendum to Officers Report**

**Agenda item 6**

**Ref: TPF/0429/18**

**64 Oakwood Road, London, NW11 6RL**

1 additional objection has been received – which raises matters already addressed in the report.

**Pages: 155 - 194**

**Ref: 18/4221/FUL**

**Carmelite Friars, 63 East End Road, London, N2 0SE**

The wording of the following conditions is recommended to be amended (as underlined) to read as follows:

***Condition 4 (Levels):***

“a) No development other than demolition works shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been 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 retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.”

***Condition 20 (Excavation for services):***

“a) No development other than demolition works shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site 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 health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September

2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016).”

***Condition 31 (Vehicular Sight Line)***

Prior to commencement of above ground works, details of the vehicular sight line to the either side of the proposed site access on Juliana Close shall be submitted to and approved in writing by the Local Planning Authority. The access thereafter is to be constructed in accordance with the approved details and be maintained free of all obstructions over a height of 0.6 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety 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.

***Condition 37 (Accessibility M4(2) and M4(3))***

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all, with the exception of Houses 09, 10 and 11 within the Listed Building, 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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. 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.

In addition, the following conditions are recommended to be added in relation to ecological enhancements and archaeology

***Ecological Enhancements Condition:***

“Prior to occupation, details of ecological enhancement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).”

***Archaeological Condition:***

a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2016.

**Pages: 41-60**

**Ref: 18/5296/S73**

**Land To The Rear Of 1069 Finchley Road, London, NW11 0PU**

The wording of the development description to be amended as follows (removal of spelling mistake, change underlined):

"Variation of condition 2 (Approved Plans) and 11 (Access Arrangement) of planning permission 18/2056/S73 dated 29/06/2018 pursuant to planning permission 15/01377/FUL allowed by appeal (ref. APP/N5090/W/15/3136451) for "Erection of a new building up to five storey including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats, following demolition of existing buildings." Variation to include entering the site from Finchley Road and exiting from Temple Gardens (a reversal of approved access), change the layout of the parking spaces to allow access into parking bays in the same direction as the flow of traffic, and associated changes in the wording of condition 2 and 11"

The wording of the condition 11 is recommended to be amended (as underlined) to read as follows:

***Condition 11- Access***

The development shall be implemented in accordance with the access arrangements including the one-way access arrangement with vehicular entrance from Finchley Road and egress onto Temple Gardens and access details approved as shown on Drawing no. 1415-PL-200 Rev C. None of the dwellings hereby permitted shall be occupied until the proposed one-way operation and related signage has been implemented in accordance with these approved details. The signage shall be retained permanently thereafter.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

**Pages: 69-102**

**Ref: 18/4546/FUL**

**Land Fronting St Andrew's Road And Portsdown Avenue, Golders Green, London, NW11 0PJ**

1 additional objection has been received – which raises matters already addressed in the report.

The wording of the following conditions is recommended to be amended (as underlined) to read as follows:

### ***Condition 1- Plans***

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

Drawing no. 572/PA/001; Drawing no. 572/PA/010; Drawing no. 572/PA/020; Drawing no. 572/PA/021; Drawing no. 572/PA/022; Drawing no. 572/PA/100 A; Drawing no. 572/PA/110 A; Drawing no. 572/PA/120; Drawing no. 572/PA/200 A; Drawing no. 572/PA/210 B; Drawing no. 572/PA/300 A; Drawing no. 572/PA/310; Drawing no. 572/PA/330 A; Drawing no. 572/PA/400 B; Drawing no. 572/PA/410 B; Drawing no. 572/PA/411 A; Drawing no. 572/PA/420 B; Drawing no. 572/PA/430 A; Drawing no. 572/PA/440 A; Drawing no. 4572/PA/520; Drawing no. 572/PA/450 A; Drawing no. 572/PA/451; Drawing no. 572/PA/460; Drawing no. 572/PA/500 A; Drawing no. 572/PA/510 B; Planning Statement by MRPP; Design and Access Statement by MRPP; Sustainability Statement by MRPP; Transport Statement by Transport Planning Associates dated July 2018; Soft Landscape Design Palette by Marcus Foster; Hard Landscape Design Palette by Marcus Foster; Tree Planting Proposal Summary by Marcus Foster; Arboricultural Survey (BS5837:2012) & Impact Assessment by Marcus Foster ref AIA/MF/080/18; Existing Tree Survey by Marcus Foster Drawing T001; Proposed Tree Survey by Marcus Foster Drawing T002; Proposed Tree Survey with RPA by Marcus Foster Drawing T003; Tree Constraints Plan by Marcus Foster Drawing T004; Tree Planting Scheme by Marcus Foster Drawing no. LD-001; Soft Landscaping Plan by Marcus Foster Drawing no. LD-003; Ecological Appraisal Report by MLM Group.

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).

**Condition 10- Landscaping**

a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development. These details shall include landscaping for both the residential and tennis club. Planting should be extra heavy nursery stock and include details of soil treatment for new gardens.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.”

In addition, the following conditions are recommended to be added shall be added in relation to ecological enhancements and the community facility:

**Ecological Enhancements Condition:**

“Prior to occupation, details of ecological enhancement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).”

**Community Facility Condition:**

Within 6 months of the sale of two of the houses, the following information relating to the tennis club shall be submitted for approval by the Local Planning Authority:

- i) Details of marketing, including price, of the tennis courts including MUGA and club house,
- ii) Details of the proposed MUGA and submission of a timetable to secure its implementation.

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

Reason:

To ensure that the development provides a suitable and viable community facility in accordance with Policy DM13 of the Adopted Barnet Development Management Policies DPD (2012).

The following informative is recommended in relation to protected species:

**Informative:**

Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

**Pages: 315-330**

**Ref: 17/3921/FUL**

**Tudor Court 2 Crewys Road London NW2 2AA**

**Amendment to condition1:**

- Site Location Plan
- Drawings: EWG\_001-02A, EWG\_001-03A, EWG\_001-04A, EWG\_001-05A, EWG\_001-06A, EWG\_001-07A, EWG\_001-08A, EWG\_001-13I, EWG\_001-14C, EWG\_001-15E, **EWG 001-19B**, EWG\_001-22B, **EWG 001-23D**, EWG\_001-30A, EWG\_001-31A and EWG\_001-38D.
- List of materials to be used in the external surfaces of the building(s) as per Schedule of Proposed Building Materials produced by Icon Building Consultancy
- Photographs
- Planning Statement
- Water Efficiency Calculator Document
- Construction Management Plan
- Sound Insulation Test Report

**Objections Received since final neighbour re-consultation:**

Further objections received since the completion of the planning report, which can be summarised as follows:

- Work is already complete.
- The new development may breach the law and Barnets development plan.
- Parking issues due to the new residents assuming they can park within the Tudor Court car park.

- Parking spaces in the car park are part of the residents lease, and is clearly shown on deeds and so re arranging even one space cannot be legal.
- Loss of light to neighbouring properties.
- Overcrowding this block will create even more pressure on the waste disposal area which is always over full by collection day.
- Possible increase in population of the block which can lead to more people cohabiting.
- The overcrowding of Tudor Court with even more residents using the common areas will put stress on the current residents and the community.
- The already overbearing disruption, such as the noise levels in the morning, lack of light within neighbouring flat, and the builders vehicles regularly blocking and entry will be prolonged. The initial phase on the roof has been going on since November 2016. Another 20 months or more is unacceptable.
- Many applications to build on the roof have previously been overruled and in light of this, the new application is unnecessary and stressful. It will cause further hardship in terms of mess and noise and restrict the light to my apartment.

Planners response:

The objections received are similar to objections received previously and have been dealt with within the body of the main planning report. However, legal implications with regards to the re-adjustment of existing parking spaces are not a planning consideration. However, the application if approved would be subject to a legal agreement in relation to restriction of further parking at Tudor Court.

### **Replacement of Condition 4 and removal of Condition 8:**

Condition 4 Method of Screening and Condition 8 – Ballustrades shall be removed and replaced with a new Condition 4 – Screening and Ballustrades and shall read as follows:

Notwithstanding the details provided, prior to the first occupation of the units, details of the proposed balustrade screening and guard rail to the walkway at fourth floor level must be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before the development is occupied.

Reason

To ensure that the proposed development is not detrimental to the amenities of occupiers of neighbouring residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

**Pages: 103-118**

**Ref: 18/0216/S73**

**Menorah Primary School, 1-3 The Drive, NW11 9SP**

Since the publication of the committee report, objections have increased from 48 to 53.

The additional objections received include concerns which have already been raised by previous objectors including: noise and disturbance, concerns with parking and traffic, it is not a function hall, the 'proposed noise management plan' is not legally binding.

These objections have been addressed in the committee report.

**Pages: 135-146**

**Ref: 18/4916/S73**

**The Avenue Tennis Club**

Since the publication of the committee report, an additional objection from a neighbour has been received (comprising two signatures).

The objection includes concerns which have already been raised by previous objectors including: noise and disturbance from members staying once floodlights have turned off, bad parking of cars, cars left idling cause noise and pollution, extending hours will increase these problems for the benefit of just a few club members.

These objections have been addressed in the committee report.

**Pages: 209 - 233**

**Ref: 18/4547/FUL**

**The Bobath Centre, 250 East End Road, London, N2 8AU**

### **Grade II Listed Buildings**

For the purposes of clarity, there are two Grade II listed buildings on site. These are as follows:

The Bobath Centre, located at No.250 East End Road, was included on the statutory list of buildings of special architectural or historic interest at Grade II on 9th August 1973. It was formerly listed as Pardes House School and as Holy Trinity Church of England School (List Entry Number: 1188626).

The East Annexe Bobath Centre, also located at No.250 East End Road, was included on the statutory list of buildings of special architectural or historic interest at Grade II on 9th August 1973. It was formerly listed as East Annexe to Pardes House School and as East Annexe to Holy Trinity Church of England School List Entry Number: 1078842).

### **Principle Section**

There is a correction to the wording of the final paragraph in the Principle Section of the report. The paragraph should read as follows:

In summary, given this application doesn't involve a change of use, there is no objection to the use of the site for the purposes of operating a nursery.

### **Public Comments**



4 further objections have been received from Stokes Court Residents Association which raise matters already addressed in the report. These are:

- User and staff numbers
- Traffic Implications
- Air Pollution
- Third of the site not included in the current planning application

**Pages: 235 - 247**

**Ref: 18/4548/LBC**

**The Bobath Centre, 250 East End Road, London, N2 8AU**

### **Grade II Listed Buildings**

For the purposes of clarity, there are two Grade II listed buildings on site. These are as follows:

The Bobath Centre, located at No.250 East End Road, was included on the statutory list of buildings of special architectural or historic interest at Grade II on 9th August 1973. It was formerly listed as Pardes House School and as Holy Trinity Church of England School (List Entry Number: 1188626).

The East Annexe Bobath Centre, also located at No.250 East End Road, was included on the statutory list of buildings of special architectural or historic interest at Grade II on 9th August 1973. It was formerly listed as East Annexe to Pardes House School and as East Annexe to Holy Trinity Church of England School List Entry Number: 1078842).

### **Listed Building Legislation**

The first paragraph under the section of the report titled 'Whether harm would be caused to the character and appearance of this Grade II Listed Building and setting of the listed building' has been amended to read as follows:

Under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, section 16(2) states that a council should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant Listed Building Consent. This requirement is reiterated at 7.3.2 of the supporting text to Policy DM06 of the adopted Local Plan.

### **Listed Building Consent Time Limit**

The wording of condition 2 has been amended to read as follows:

Condition 2:

This work must be begun not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

**Pages: 249-266**

**Ref: 18/4993/FUL**

**35 -37 Ravenscroft Avenue NW11 8BH**

Committee Report to include Policy DM17, of the Development Management Policies (2012) as part of policy list.

Condition 12 – Vehicular Access to be removed and reworded as a new Informative below:

For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. The applicant will be expected to enter into an agreement under Section 184/278 of the Highways Act with the Highways Authority, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Works on public highway shall be carried out by the Council's contractors. 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.

Since the publication of the committee report, and additional 3 amended plans have been submitted and are listed below:

Existing Site Plan (received 13/11/2018)

Proposed Site Plan (received 13/11/2018)

ABC60/5012 Rev C (received 13/11/2018)

**Pages :267 - 280**

**Ref: 18/3587/HSE**

**33 Ranulf Road, London, NW2 2BS.**

1 additional objection has been received – which raises matters already addressed in the report.