

Addendum

Hendon Area Planning Committee

16 April 2019

Reference: 19/0080/FUL

94 Audley Road

Condition 1 should be amended to include the elevation plan which has been excluded in error.

The condition should read:

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

Proposed Lower Ground Floor and Ground Floor Plan Drawing No 94AR-PP1-04 Rev C

Proposed First and Second Floor Plan Drawing No 94AR-PP1-05 Rev B

Proposed Elevations Drawing No 94AR-PP1-06 Rev C

Received 29 March 2019

Existing Floor Plans Drawing No 9AAR-PP1-02

Existing Elevations Drawing No 94AR-PP1-03

Received 7 January 2019

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).

An additional condition requiring parking to be implemented prior to occupation is considered necessary. The following condition should be included:

- *Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No 94AR-PP1-04 Rev C shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.*

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 2015.

In the interest of protecting residential amenity, the following standard condition on hours of construction work should also be applied for clarity.

- *No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.*

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

To respond to public comment and in the interest of clarity, a condition can be included stating the property is only to be used for self-contained flats and restricting the use of the property as an HMO.

- *The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).*

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

The scheme is justified on the basis the existing coach house is to be removed. In order to ensure the outbuilding is removed from the site as part of the development, a condition will be included as follows:

Within three months of the commencement of the development, the outbuilding, otherwise known as the coach house shall be removed as shown on the approved plans: Proposed Lower Ground Floor and Ground Floor Plan Drawing No 94AR-PP1-04 Rev C, and any material arising from its removal shall be removed from the site.

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).

Since the publication of the report, the scheme has attracted additional public comment.

The comments received were made in response to a short re-consultation exercise following amendments made to the plans and description of the proposal. The consultation period has since closed.

Five additional comments were received in objection. Four of the comments received were supplementary comments made by previous objectors. One additional objection was received.

The total number of objections is 9 objections.

The additional comments are summarised as:

- The street cannot cope with any more parking spaces. The units should be restricted from parking permits.
- a large number of flats puts pressure on amenities such as refuse collection, water pressure.
- No.94 is already causing a nuisance with rubbish regularly dumped on the street.
- The owner is not a local resident but a developer, commercially driven projects such as these do not contribute to the family or neighbourly feel of Audley Road.
- 11 flats such as these would be used for short lets, AirBNB type properties where there is a constant influx of new and temporary residents, who do not care about the welfare of the street or its residents.
- since this application was originally submitted, the rubbish bins have been on permanent display (and one of them is a huge industrial size bin) on the pavement with rubbish overflowing everywhere. The bins do have an area adjacent to the house but no one now has the slightest regard for putting the bins out or taking them back. Is this a taste of what we can expect when there are 11 flats and no one taking ownership?
- Is there assurance that all building work involved must not impeded domestic parking and that works vehicles will be restricted and hours of building times be imposed?
- The removal of the outbuilding is supported and this mitigate the overall impact of the development. Assurances should be made that the outbuilding will be removed.
- The 3 windows on the east flank elevation looking to 19 Graham Road will overlook and shine light into the rear windows of the neighbouring property. These windows should be removed and windows on the south wall could be enlarged.

A petition was also received signed by 53 local residents in objection to the scheme.

The petition objects to the scheme on the grounds that the proposed development:

- Would lead to increased road congestion at an already busy crossroads, creating dangerous traffic conditions and causing difficulties for emergency vehicles,

- The over intensive use of the site would lead to increased comings and goings and this would put a strain on local amenities and the drainage system, which has had problems in the past,
- The development, and the increased comings and goings, would make an already narrow pavement narrower and busier, risking pushing people into the road,
- The proposals for a new gym and office would create excessive noise and light pollution for surrounding residents and is out of keeping with a residential area.

Officer Response:

A condition restricting the hours of construction works will be recommended.

The parking provided on site is considered to provide a satisfactory level of parking for the units. A restriction of future occupiers to not purchase parking permits is not justified nor is there a CPZ within proximity to the development.

The development can be conditioned with a restriction for the units to be used as flats C3 accommodation only. This would restrict any units from being used for an HMO. In terms of tenancy periods, it is not for planning to control whether the units would be let for short term or longer term periods.

The application must be assessed on its individual merits and not on the motivations of the developer.

The petition refers to the proposal for the gym and office creating excessive noise and light pollution for surrounding residents and is out of keeping with a residential area. The outbuilding has been removed from the scheme so this is no longer part of the proposal.