

## **PLANNING COMMITTEE**

**01 December 2020**

### **ADDENDUM TO SERVICE DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT**

**Item No. 6**

**20/4304/S73**

**Allianz Park, Greenlands Lane, London, NW4 1RL**

Since the publication of the committee report, advising that having assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues and that Barnet Council may therefore, proceed to determine the application without further reference to the GLA.

Report Amendments.

Page 11

Delete Recommendation 1 (Referral to Mayor of London)

Amend references in recommendation 2 & 3 to remove references to recommendation 1.

Page 15

Before Third Paragraph insert 13 to read as follows

13. Not more than 5,348 m<sup>2</sup> of floor space at the Stadium shall be used for purposes falling within Use Class F1(a) (of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the use classes amendment order 2020), or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order, with or without modification. The F1(a) floorspace hereby approved shall be ancillary to the primary use of the Stadium and shall be used only by Middlesex University and/or the London Sports Institute for educational purposes unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

Pages 15 - 17

Re-number condition numbers 13-27 to 14-28.

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**Item No. 7****20/4031/FUL****Land between Broadfields Primary School and Hartland Drive, Edgware, HA8 8JP****Representations**

Following the publication of the Committee report on 23<sup>rd</sup> November, 3 further objections have been received. Officers note that a large number of residents who objected to the original submission, also objected to the amended proposal. As such, although there are 107 registered objections in total, these are not from 107 individual residents. The number of objections received on an individual basis is considerably less than 107 individuals.

**Additional Information on the site boundary**

The planning application also proposes to include the site within the boundary of the adjacent existing Edgware Eruv. An Eruv is a continuous boundary designated in accordance with Jewish Law. Whilst Jewish Law prohibits Orthodox Jews from carrying on the Sabbath, carrying is permitted within the defined boundary of an Eruv, as is the use of other items such as pushchairs and wheelchairs. The proposal involves the extension of the Edgware Eruv to include the site and installation of poles and wire gateway, which Officers consider to be acceptable.

There have been no objections received by local residents with regard to the extension of the Edgware Eruv to include the site and installation of poles and wire gateway. Officers note that the successful operation of existing Eruvim elsewhere in this borough and in neighbouring authorities where there is no evidence that an Eruv gives rise to tension between secular and religious groups. The Eruv equipment does not carry any Jewish symbolism and is usually seen as part and parcel of the normal street furniture in a suburban location.

**Conditions**

Delete/omit condition 6 (Ecology survey) as the applicant has already submitted an Ecology Survey, which was supported by the Councils Ecology Officer, subject to the implementation of the mitigation measures and biodiversity enhancement measures which are covered under condition 5.

*Amendments to wording of conditions***Condition 18**

The last sentence should read as follows: "The 159 off-street parking spaces including 14 disabled parking bays shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with the approved development".

*Amendments to wording of conditions 3, 4, 10, 11, 23, 25, 27 and 28*

With specific reference to conditions 3 (levels of buildings); 4 (materials); 10 (noise from ventilation/extraction plant), 11 (noise from the development), 23 (electric vehicle charging points), 25 (plans of offsite highway works); 27 (agreed areas to be stopped up) and 28 (internal access roads) as set out within the report, the first sentence to each of these respective conditions should include the wording as shown in brackets below:

“No development (**other than demolition works, groundworks, site preparation works**) shall take place...

*Additional condition (condition no 40)*

- Prior to the commencement of any highway works, a study investigating the potential relocation of the existing pelican crossing on Bushfield Crescent to a location north of the site access and south of the existing bus stop shall be submitted to LBB. The results of that study shall be incorporated within the detailed design of the highway works and implemented at the same time as the carrying out of the highway works.

Reason: To ensure that the pelican crossing is provided in a suitable location in order to minimise danger, obstruction and inconvenience to users of the highway, and carried out to the satisfaction of the highway authority in the interest of highway 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.

### **Clarifications/Corrections**

The proposal makes provision for 158 car parking spaces (not 159 as stated within the Committee report).

The proposal makes provision for 1 car club not 2 as stated within the report.

Broadfields Residents Association was incorrectly referred to as “Brownfield Residents Association” on occasion within the report.

Broadfields Primary School was incorrectly referred to as Brownfield primary school in pg 106.

### **Other amendments to section 5.3 (Material Planning Considerations of the report)**

#### Secure by design

Pg 94 of incorrectly states that: “The proposed development was subject to consultation with the Met Police who had raised concerns about the isolated location of play space at the northern end of the site which would not be well overlooked and provide natural surveillance”.

The correct sentences should read as follows:

“The Secure by Design (SBD) Officer did not raise concerns about isolated play spaces to the north of the site as there are no isolated play areas to the north. This was in relation to bike sheds. The Metropolitan Police and the applicant agreed that security measures would be achieved by receiving a Secure by Design accreditation, which would be secured by way of condition. Further, the SPD Officer does not raise any objections with regard to overlooking in the two pocket parks along the street as the site would be enclosed at all boundaries and the landscape would be maintained”.

#### Height of the previously approved dwelling houses

Pg 95 states “The previously approved scheme proposed three storey dwellings which shared a common boundary with the existing residents on Hartland Drive”.

To further clarify this point, the previous scheme proposed 2-storey houses along the southern boundary, but they were designed with mansard style roofs, which height wise made them the equivalent of 3-storeys.

Section 5.4 of the Committee report (response to public consultation)

Pg 107 states that “The Councils Children’s Services team were consulted on this application and have not objected to the proposal”.

To clarify, this sentence read: “The Councils Children’s Services team were consulted on this application and have not commented on the proposal”.

Section 7 (Conclusion) of the report

Pg 109 incorrectly states the proposal “would cause harm to the visual amenities and openness of the adjacent Greenbelt”.

The correct sentence should read the proposal: “would not cause harm to the visual amenities and openness of the adjacent Greenbelt”.

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**Item No. 9**

**20/3784/PNV**

**Blocks 7-9 Chandos Way and Blocks 1 to 6 Britten Close London NW11 7HW**

Since the publication of the committee report, 1 further objection has been received. The letter raises the following concerns:

- Disruption to existing access to blocks;
- Disruption to existing services;
- Additional service charge cost to maintain new lifts;

A request has been received that the building height increases and lift shaft dimensions are specifically mentioned within the Officers report. These are being verified and will be verbally reported to the committee during Officers presentation of the application.

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**Item No. 10**

**18/6261/FUL**

**228-232 Hendon Way, London, NW4 3NE**

Section 3 (Proposal) of the committee report erroneously refers to 53 hotel rooms, instead of 51 hotel rooms, as shown on the proposed plans. The description of development remains accurate at 51 rooms.

Upon review of the planning application and the SPD Policy (SEET SPD, 2014), the s106 Employment and Skills Officer has confirmed that the site does not meet the SPD tests, and is therefore not required to contribute towards any Employment and Skills obligations. As such, an obligation in relation to this is no longer required and this obligation can be removed from Recommendation I of the committee report.

Since the committee report has been published, a resident has queried why re-consultation was not undertaken for the revised drawings

Re-consultation is not automatically carried out in relation all amendments. In relation to this the relevant test is outlined in the 'Wheatcroft principle' namely whether the changes are substantial and results in a development that is not the same as that originally applied for. In this instance the revised drawings result in a scheme which is reduced in size. The includes reduction to the depth of the ground floor rear projection and reduction of the roof linkages. Iterations of the revised drawings were published on the website for transparency purposes throughout the assessment of this application.

Since the committee report has been published, a resident has queried that the outdoor areas could be used for purposes other than what is shown on the plans. The application has been assessed based on what has been submitted.

An additional condition is recommended for tree protection, including those on third party land, as follows:

“a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.”