

**PLANNING COMMITTEE B – 21<sup>st</sup> FEBRUARY 2023**

**ADDENDUM TO OFFICERS REPORT**

**Pages: 5-40**

**Item: 6**

**Reference: 22/0228/FUL**

**Address: 84 West Heath Road, NW3 7UJ**

Amended recommendation 1:

6. Carbon Offset

£78,647

7: S106 Monitoring fee:

£2,730

Condition 1 – add:

Site Location Plan ref: 2031-PL-0001 Rev P0 dated 02/10/20

Existing Site Plan ref: 2031-PL-0100 Rev P0 dated 02/10/20

Existing Basement Plan ref: 2031-PL-0101 Rev P0 dated 02/02/20

Existing Ground Floor Plan ref: 2031-PL-0102 Rev P0 dated 02/10/20

Existing First Floor Plan ref: 2031-PL-0103 Rev P0 dated 09/25/20

Existing Second Floor Plan ref: 2031-PL-0104 Rev P0 dated 09/25/20

Existing Roof Plan ref: 2031-PL-0105 Rev P0 dated 09/25/20

Existing East & West Elevations ref: 2031-PL-0180 Rev P0 dated 09/28/20

Existing North & South Elevations ref: 2031-PL-0181 Rev P0 dated 09/28/20

Demo Basement Plan ref: 2031-PL-0154 Rev P0 dated 02/10/20

Demo Ground Floor Plan ref: 2031-PL-0150 Rev P0 dated 02/10/20

Demo First Floor Plan ref: 2031-PL-0151 Rev P0 dated 09/25/20

Demo Second Floor Plan ref: 2031-PL-0152 Rev P0 dated 09/25/20

Demo Roof Plan ref: 2031-PL-0153 Rev P0 dated 09/25/20

Demo East & West Elevations ref: 2031-PL-0155 Rev P0 dated 10/02/20

Demo North & South Elevations ref: 2031-PL-0156 Rev P0 dated 10/02/20

Proposed Site Plan ref: 2031-PL-0200 Rev P4 dated 21/03/22

Proposed Lower Ground Floor Plan ref: 2031-PL-0209 Rev P3 dated 06/01/22

Proposed Ground Floor Plan ref: 2031-PL-0210 Rev P4 dated 21/03/2022

Proposed First Floor Plan ref: 2031-PL-0211 Rev P4 dated 21/03/2022

Proposed Second Floor Plan ref: 2031-PL-0212 Rev P4 dated 21/03/2022

Proposed Third Floor Plan ref: 2031-PL-0213 Rev P4 dated 21/03/2022

Proposed Fourth Floor Plan ref: 2031-PL-0214 Rev P4 dated 21/03/2022

Proposed Roof Plan ref: 2031-PL-0215 Rev P4 dated 21/03/2022

Proposed Elevations with context ref: 2031-PL-0230 Rev P3 dated 21/03/2022

Proposed Sections ref: 2031-PL-0235 Rev P3 dated 06/01/2022  
Proposed South-East & South-West Elevations ref: 2031-PL-0300 Rev P4 dated 21/03/2022  
Proposed North-West & North-East Elevations ref: 2031-PL-0301 Rev P4 dated 21/03/2022  
Area Plan NIA ref: 2031-PL-0700 Rev P2 dated 06/01/2022  
Area Plan GIA ref: 2031-PL-0710 Rev P3 dated 21/03/2022  
Planning Statement by SM Planning  
Design & Access Statement ref: 2031-PL-DAS-P1 by Wolff Architects dated 19/01/2022  
Design & Access Statement Addendum ref: 2031-PL-DAS ADDENDUM P1 by Wolff Architects dated 20/05/2022  
Use Class and Operator Statement by KYN dated March 2022  
Statement of Community Involvement by Kanda dated January 2022  
Addendum Statement of Community Involvement by Kanda dated May 2022  
Arboricultural Impact Assessment ref: KYN/84WHR/AIA/01e by Landmark Trees dated 12/05/2022  
Supporting Arboricultural Impact Letter ref: HVL/84WHR/AIA/Lttr/03 by Landmark Trees dated 15/03/2022  
Preliminary Ecological Appraisal ref: 20-7309 Ver C by Syntegra Consulting dated January 2021  
Updated Preliminary Roost Assessment with Dusk Activity Survey Report ref 20-7309 by Syntegra Consulting dated October 2022  
Lighting Impact Assessment Rev P1 by BSG dated 27 May 2022  
Air Quality Assessment ref 20-7309 by Syntegra Consulting dated May 2022  
Noise Impact Assessment ref 20-7309 Rev F by Syntegra Consulting dated May 2022  
Landscape Design Proposals & Planting Strategy ref 0525 by James Smith Landscape & Garden Design dated 20 May 2022  
Daylight & Sunlight Report by BVP dated May 2022  
Fire Statement ref: P03 by Ashton Fire dated 25/05/2022  
Transport Statement by Caneparo Associates dated May 2022  
Framework Travel Plan by Caneparo Associates dated May 2022  
Refuse & Waste Management Plan by Caneparo Associates dated May 2022  
Draft Construction Management Plan by Caneparo Associates dated May 2022  
Flood Risk Assessment & Drainage Strategy ref 20-7309 rev A by Syntegra Consulting dated 14/01/22  
Energy Strategy Report ref: 20-7309 Rev A by Syntegra Consulting dated 25/01/22  
Circular Economy Statement ref: 20-7309 by Syntegra Consulting dated January 2022  
Whole Lifecycle Carbon Statement ref: 20-7309 by Syntegra Consulting dated January 2022  
BREEAM Pre-Assessment Report ref: 20-7309 by Syntegra Consulting dated January 2022  
Basement Impact Assessment ref: J20202A Rev 2 by GEA dated January 2022

**Paragraph 4.2 Objections:**

Objections included those from 3 local councillors, Councillors Anne Clarke, Nigel Young and Guilia Innocenti.

Objections raised:

- Members of the committee should make an in-person site visit to fully understand the impact of this proposal.
- The proposed building is clearly out of keeping with the area, and many residents rightly point out the height and density would be overly intense on this site.
- The digging of the basement would require great care and I am concerned about the impact on the local water table.
- This would seem a good building for retrofitting which is encouraged by the London Plan. Retrofitting would bring the building back into use and be a much more favourable outcome for local residents.
- The proposed development is 5 storeys high with a basement. It would be substantially higher than the existing building and significantly higher than the surrounding development of 2-3 storeys. This would be out of character with the surrounding area and have a negative visual impact.
- The extensive relatively un-modulated elevations present a bulk and mass that is of an urban appearance covering a large proportion of the frontage and other elevations of the site. This is not characteristic of the surrounding built environment, which is predominantly traditional single dwellings with separation between. This low scale and separation is also seen in the more modern apartments and houses nearby. The proposed extensive bulky elevations to all sides of the site would be out of character with the surrounding area.
- The combination of the proposed height, scale and massing of the development would have a negative visual impact and be incongruous in the surrounding area. It would cause harm to the visual amenity of neighbouring properties and the street-scene.
- The proposed 80 bed care home would represent a significant intensification of the use of the site. It is not considered that the Travel Plan adequately deals with the traffic movements that would result from the likely level of visitors that would be generated by this use. Active measures to encourage the use of public transport and discourage the use of private cars would be required and must be subject to monitoring and enforcement.

**Pages: 41-62**

**Item: 7**

**Reference: 22/02716/FUL**

**Address: Former site of Public Conveniences junction of Great North Road/Station Road, EN5 1ET**

**Deferred item:**

This item was deferred on 23<sup>rd</sup> January 2023 following Officers presentation and objections expressed by registered speakers to allow the applicant/ agent an opportunity to speak, as they were unable to attend the Committee meeting.

The Local Planning Authority wrote to previous speakers on 15<sup>th</sup> February to provide them with an opportunity to present their concerns again to this Planning Committee B (21<sup>st</sup> February). Both speakers have advised they are unable to attend. Notwithstanding, their previous presentation comments on the planning application are as follow:

***“Advertisements - The structure was designed with large advertising billboards inside very large windows. This is graphically illustrated in the Design and Access Statement, which is stated to be an “approved plan” to which the proposal should be built.***

*Officers suggest a condition “No advertisement displays or structures shall be added to the elevations of the building.*

*The issue is that the Advertising Regulations 2007 give Deemed Consent to advertising just INSIDE windows of commercial premises, as long as they are not illuminated. However that does not preclude scrolling advertising on semi-opaque film while the uncontrolled proliferation of LED signs in windows would make enforcement against transparent LED panels unenforceable.*

*It would be unlikely the applicant or a subsequent owner could be prevented from using the structure for such exceedingly lucrative advertising.*

*Large billboards here would be distracting at a busy and complex junction. It would also have a huge visual impact on the character of the area with its listed cinema and rare thriving traditional shopping arcades. It is also the primary approach to High Barnet from the south. This is recognised in the officer’s report.*

*Putting that aside, even with the advertising no longer shown the design is dominated by features to accommodate it. These add to issues the committee should consider. The structure would still be a startling distraction with the interior just illuminated after dark.*

**Equality** - *The proposal lacks equal access for users with disabilities to the primary facilities on the first floor.*

**Sustainability** - *The extent and orientation of glazing would load the carbon footprint by demanding excessive heating in winter and cooling in summer on an already high energy consumption facility. None of the bulky equipment for this is shown in the proposal.*

**Highway/Road Safety** - *In any event the proposed structure would be distracting to traffic. Pedestrian and vehicular movement by the traffic island is challenging. The low footfall that has made this acceptable would be increased by any customers.*

**Built Environment** - *The work stations just behind large expanses of glass would be unusable even in moderate sunlight. The view upwards into the cafe from ground level would inappropriately and inelegantly expose both IT cabling and more importantly users unless screened, which would make much of the glazing pointless.*

**Heritage** - *Negative and dominating impact on the setting of the Grade II listed art deco cinema and the unspoiled rows of traditional shops on both side of the road that define the area.*

**Loss of light** – *The communal lounge area is located directly parallel to the site and will be directly affected by a second story being built. The sun rises directly behind the public convenience site. Tenants are concerned about the knock-on effect of this, specifically increased use of electricity and subsequently higher service charges.*

**Privacy/line of sight** – *fear of customers on the top floor of the internet cafe being able to look into some flats on both the upper and lower floors on the Great North Road side of Homestead Court*

**Criminal Activity** – petrified of the area attracting more criminal activity. The plans show that the outside area is not going to be gated off and fixed seating will be accessible 24 hrs a day. There is the likelihood of alcohol being bought from the nearby Tesco express and consumed on the site out of hours. It's proximity with Homestead Court's car park and main entrance may lead to some intoxicated people to use the car park as a urinal or to try to gain entry to our building. Historically Homestead has had issues with opportunist and local unsavoury characters gaining entry. There is likely to be an increase if this particular project goes ahead.

**Refuse & Recycling** – proximity to Homestead Court may encourage people to throw rubbish over the wall and into our carpark when refuse and recycling bins become full. It is also highly likely to attract pests.

**Congestion** – With increased activity in that area, some tenants feel that they will be discouraged from venturing to the local shops themselves because of increased hustle and bustle.

**Car Park** – Concern that customers to the café will park in Homestead Car Park”.

**Pages:** 63 - 74

**Item:** 8

**Reference:** 22/2589/HSE

**Address:** Caton, 100 Totteridge Lane, N20 8JG

Additional objection received commenting as follows:-

- “I am happy that the property will be developed and improved and I have no objection to works going ahead
- Thank you to the committee's previous work in undertaking that privacy to my property is preserved
- My objections are that
  - The proposed first floor extension bulks up the building to a level that is domineering. The scale dwarfs the existing property to a level where the original building is subsumed
  - It will reduce the sunlight to my rear ground floor (kitchen diner) patio and garden
- Would the committee kindly consider the reduction or removal of the proposed first floor”

**Pages:** 75-86

**Item:** 9

**Reference:** 21/6722/HSE

**Address:** 40 Corringham Road, NW11 7BU

Following the receipt of objections which included an assessment of ground water and surface water conditions, a Basement Impact Assessment and Flood Risk Assessment and Sustainable Drainage Strategy was submitted by the applicant. A re-consultation was undertaken to provide an opportunity for comments to be made on the further information provided. The following comments were received, and officers have responded as below:

- Extension will reduce house value

The perceived loss of property value is not a material planning consideration.

- Tree report is a copy of a different tree report from a neighbouring area
- Continuing concern for safety of historic tree

A tree protection plan has been submitted to protect the existing tree. The Council's tree officer found this to be acceptable, in particular given that the tree is located approximately 20 metres from the construction area.

- Sets a precedent

Each application will be assessed on its own merits.

- Disruption from building works
- Concern about traffic on the road

The impacts of construction works are not a material planning consideration, however, a condition requiring a Demolition and Construction Management Plan will be added to any approval which will require information regarding details of construction vehicles, storage and delivery areas, methods to be used to control emissions of dust, noise and vibration arising from construction works.

- Potential flooding
- Potential liability of the council should flooding occur as a result of the development

The Flood Risk Assessment submitted by the applicant finds the following:

"The proposed development does not lead to an increase in impermeable surfaces and the proposed development will not change the building outline and therefore any existing flow route will not be adversely affected.

Currently foul and stormwater drainage from the property discharge into the public sewer. Within the rear garden there is a land drain which discharges to a soakaway at the bottom of the garden. The only potential risk from flooding on site is from surface water. However, this is considered to be low to very low risk. In order to provide mitigation against floodwater drainage in any event. It is recommended that the basement is design with flood risk measures. In this case, the basement has been designed to include the following:

- A delta V3 foul pump
- Waterproofing scheme. The basement will be constructed using reinforced concrete and any minimal water seepage will be collected and removed by a sump pump. "

The report concludes that provided the recommendations made herein are implemented the proposed development will satisfy the requirements of the National Planning Policy Framework and is considered suitable for the proposed residential use. A condition will be attached in the event of approval to ensure that the development shall be implemented in accordance with the mitigation and management proposals as detailed within the Basement Impact Assessment and Flood Risk Assessment and Sustainable Drainage Report.

- Potential Subsidence

The Basement Impact Assessment found that the basement is to be formed within London Clay foundation, where groundwater was not encountered, and which is relatively impermeable. The results of the ground movement analysis suggests that with good construction control, damage to adjacent structures is likely to be 'very slight'. The report recommends a monitoring strategy is implemented on site in order to observe and control ground movements during construction. A condition will be attached in the event of approval to ensure that the development shall be implemented in accordance with the mitigation and management proposals as detailed within the Basement Impact Assessment and Flood Risk Assessment and Sustainable Drainage Report.

- New report introduces numerous unknowns related to foundations, runoff, and subsistence
- There has not been sufficient analysis of the impact of excavation and construction on the adjacent properties in the 3a flood zone. The subsidence risk has only been examined in respect of 40 and 42 Corringham Road

- The BIA is caveated in its conclusions

The reports conclude that provided the recommendation made are implemented the proposed development will satisfy the requirements of the National Planning Policy Framework and is considered suitable for the proposed residential use. A condition will be attached in the event of approval to ensure that the development shall be implemented in accordance with the mitigation and management proposals as detailed within the Basement Impact Assessment and Flood Risk Assessment and Sustainable Drainage Report. Further, the reports have been assessed by officers within the Surface Water Management team, acting on behalf of the Council and no objections were raised to the proposals.

- Lightwells to the front of the house are out of character

As discussed within the main officer report, the lightwell is sited 6 metres from the street and the grille design will sit flush with the natural ground level resulting in a discreet appearance. Further, planting is proposed to the edge of the lightwell grille to further soften the appearance.

- Light spill will be a nuisance

Light spill from the 1no lightwell to the front is not considered to be of such a level that would warrant refusal of the application.

- Impact on nearby locally listed properties not properly regarded

The closest locally listed properties to the application site are those located along Rotherwick Road, although these properties do not share a common boundary with the site. Given that the basement is largely concealed under the existing property and the external alterations to fenestration at the rear of the property and raised patio are not considered to detrimentally impact on the character of the site or wider area, there is not considered to be any harm caused to nearby locally listed buildings.

- Development for investment rather than personal use

The plans indicate that the intended use of the basement is to be ancillary to the single-family dwelling house. Further, a condition is proposed to ensure this.

**Pages: 127-136**

**Item: 14**

**Reference: 22/2437/HSE**

**Address: 5 Marlborough Avenue HA8 8UH**

One supporting letter by way of an email, was received on Friday, the 17<sup>th</sup> of February 2023 commenting as follows:

- As the residents of 3 Marlborough Avenue, we support the above application. We understand that the family has grown and have outgrown their house and therefore needs more space.
- The extension and building does not bother us, it is in the same place their garage was and we fully support them.
- We are next door and happy for the extension to be permitted.

A pre-existing amended Site Location Plan, which shows the correct boundary line between nos.5 and 7 Marlborough Avenue, was received on Tuesday, the 21<sup>st</sup> of February 2023.

