

ADDENDUM TO OFFICERS REPORT

PLANNING COMMITTEE A

15th March 2023

Item No: 6

Reference: 22/6069/OUT

Address: Land At 49 And 51 Beresford Avenue

Clarification on the width of the proposed access is provided to address Members concerns during the site visit. Access arrangements (shown in presentation) confirm a 3.624m width at the narrowest point between the side elevation of no.51 and the common boundary with no.53. This is achieved through *both* the demolition of the existing two storey side extension and part set back and internal reconfiguration of the original dwelling by 1.7m. Such measures are considered by the urban design officer to be acceptable in design terms as the main architectural feature of the house being the bay frontage will remain unchanged. Highway officers have confirmed that the proposed access will allow safe passage to and from the site, including a fire appliance with a maximum width of 2.5m. This is also confirmed in the road safety audit submitted with the application.

In response to Members enquiry regarding the use of the access lane between 47 & 49 Beresford Avenue (approved at appeal in 2020), it is understood from recent correspondence from Millens homes that they have an agreed contract with the owner Persimmon homes to purchase the lane. However, an alternative access is now being proposed in response to residents' original objections regarding an over intensification of use of the lane and the protection of a religious Jewish Eruv (a Jewish symbol located towards the bottom of the lane towards the rear garden of no.49). Notwithstanding this, each application is to be determined on its own merits.

Item No:7

Reference: 22/6015/S73

Address: 147 Cheviot Gardens, London, NW2 1QB

An additional neighbour representation has been received, by an original objector and on behalf of the Golders Green Estate Residents Association, Additional comments can be summarised below:

- The new side staircase to the loft is not shown on the elevation drawings
- People will need to bend to use this staircase due to inclined ceiling of the roof which does not provide satisfactory living conditions for future occupants
- Poor quality design of a corner property

The officer response to the additional comments received are as follows:

The new staircase to the loft is internal only and would have no visual manifestation in the side elevation. The plans do not indicate that any alteration to the external roof will be required. If the Applicant is unable to satisfy their obligation under Building Regulations, then any external alterations would require a further grant of planning permission.

With regards to internal head height for the purposes of Planning, the London Plan (2021) states that the minimum floor to ceiling height must be 2.5 metres for 75% of the Gross Internal Area of the dwelling. Whilst the staircase may be below this level, the overall GIA at 2.5m and above would not fall below the 75% threshold and is therefore considered acceptable.

The extensions to the property and conversion of the property into 2no self-contained flats benefit from an extant permission (22/0425/FUL) and the design has largely been approved. The amendments to the side elevation to be considered under this application would be the new side access door and minor repositioning of the first-floor windows which are considered to have an acceptable impact on the character and appearance of the host site and wider area.

Item No: 10

Reference: 22/5451/FUL

Address: 47 Warwick Road, Barnet, EN5 5EQ

Following publication of the officer report, typos were noted within the first point of Section 5.4 titled 'Response to Public Consultation' of the report. For the avoidance of doubt this should read as follows:

“- Inaccuracies in the application form; trees within the site, loss of garden, EPC certificate

These are duly noted and have been considered in the assessment of the application. The loss of the small Euonymus tree has been considered acceptable by the Council's tree officer and a condition for replacement planting has been imposed. In any event, the extant permission granted a similar extension without the need for replacement planting. Loss of any residential garden land refers to a land use change, the proposal retains residential garden land which is well in excess of the requirements for each unit.”

Item No: 12

Reference: 22/4361/FUL

Address: 202 High Street, Barnet, EN5 5SZ

Section 4 of the officer report titled 'Public Consultation' erroneously failed to specifically note objection comments received from the Wood Street and Monken Hadley Conservation Area Advisory Committee (CAAC). It is emphasised that all comments including from the CAAC were considered in the assessment of the application.

For clarity purposes this section should be amended to read as follows (additional parts in **bold and underlined**).

“4. Public Consultation

Consultation letters were sent to 116 neighbouring properties. A site notice was posted on 8th September 2022. A press notice was published on 8th September 2022. A total of 10no representations were received including from **the Wood Street and Monken Hadley Conservation Area Advisory Committee**, The Barnet Society and MP Theresa Villiers, consisting of 9 letters of objection and 1 neutral comment from Hendon and District Archaeological Society. Representations are summarised below:

Objections:

- Previous reasons of refusal still applicable
- Concerns of impact on the Conservation Area and character and appearance of the locality
- Overdevelopment of the site
- Concerns over size of commercial unit
- Concerns of overshadowing and loss of light to neighbouring properties
- Concerns regarding impact on surrounding highways and parking
- Concerns of noise and disturbance from the development
- Concerns of overlooking and loss of privacy to neighbouring occupiers
- Concerns of the living standards of future occupiers
- Concerns regarding structural damage to neighbouring buildings
- Concerns regarding impact on sewerage network.
- Discrepancies between elevation plans and D&A Statement

Neutral comment:

-Site is within an Archaeological Priority Area, and on a previous (refused) application for this site (20/5512/FUL) Historic England asked for an archaeological condition to be imposed if it were granted. They may wish to repeat this request.”

Item No: 13

Reference: 22/4795/FUL

Address: 20 Shirehall Close, London, NW4 2QP

Following publication of the officer report, a separate Lawful Development Certificate was determined on the 23.02.2023. Therefore, the site history section of the report is to include:

Ref: 23/0325/192

Address: 20 Shirehall Close, London, NW4 2QP

Decision: Lawful

Decision Date: 23.02.2023

Description: Conversion of existing 2no. self-contained flats back into 1no. single family dwellinghouse

The above development was considered lawful by virtue of Section 55 2 (a) of the Town and Country Planning act 1990 (as amended). As such, this element of the current proposal should be considered within that context.

If that conversion were implemented in isolation (from the current proposal – which may seek to restrict subsequent development rights), then the Applicant would have the opportunity to seek a larger home extension under the provisions of Part 1, Class A of the General Permitted Development Order. However, as this would also be subject to Prior Notification, the LPA cannot prejudge whether or not Prior Approval would be required (or if required, then approved).

As such, significant weight cannot be applied to this as a fall-back position and as such, the determination of the Certificate application does not change the recommendation.

Item No: 14

Reference: 22/6017/HSE

Address: 2 Holmdale Gardens, London, NW4 2LX

For the avoidance of doubt, this item has been brought to the Committee by Cllr Prager for the following reason:

“Having looked through this application and knowing the extensions which the neighbouring properties have all carried out, I do not understand why the officers are looking to refuse this application. I believe it fits in with local planning guidelines and the street scene”.