

Decisions of the Planning Committee B

21 February 2023

Members Present:-

Councillor Claire Farrier (Chair)
Councillor Arjun Mittra (Vice-Chair)

Councillors:

Councillor Nick Mearing- Smith	Councillor Tony Vourou Councillor Joshua Conway
Councillor Gill Sargeant	

1. MINUTES OF THE LAST MEETING

The minutes of the previous meeting held on 23 January 2023 were deferred until the next meeting.

2. ABSENCE OF MEMBERS

None.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (IF ANY)

Cllr Conway declared an interest in that he had called in both items 13 and 14 as ward councillor.

4. REPORT OF THE MONITORING OFFICE (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were dealt with under individual agenda items. The Committee noted the addendum to the Planning Agenda which was published and circulated prior to the meeting.

6. 84 WEST HEATH ROAD, NW3 7UJ- 22/0228/FUL - CHILDS HILL

The report and addendum were introduced, and slides presented by the Planning Officer.

The Committee received verbal representations from Tim Waters who spoke in objection to the application.

The Committee received verbal statement from Wiemer Kuik in support of the application, as read out by the Governance officer.

The Committee received a verbal representation from ward councillor Cllr Innocenti who spoke in objection to the application.

The Committee received verbal a representation from Stuart Minty, the Agent for the Applicant.

The Committee had the opportunity to ask questions of the speaker and officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application as set out in the report.

Votes were recorded as follows:

For (Approval): 2

Against (Approval): 4

Abstention: 0

Not present: 0

RESOLVED that the application not be approved.

Councillor Mitra, seconded by Councillor Sargeant moved a motion to refuse the application for the following reasons:

-The proposed development, by reason of its excessive size, height, scale and massing, would be visually discordant and detrimental the to the character and appearance of the streetscene and wider locality, contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012), Policy D3 of the London Plan 2021, and the Adopted Residential Design Guidance SPD (2016).

-The proposed development does not include a formal undertaking for submission of a Travel Plan, Section 184 Agreement or Local Employment Agreement or to meet the costs of monitoring the Travel Plan, contribution to carbon off-set fund or agreement monitoring fee. The proposal would therefore not address the impacts of the development, contrary to Policies CS5, CS9 and CS13 of the Local Plan Core Strategy (adopted September 2012), policies DM04, DM14 and DM17 of the Development Management Policies (adopted September 2012), the Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (adopted October 2014), the Sustainable Design and Construction SPD (adopted October 2016) and the Planning Obligations SPD (adopted April 2013).

The committee unanimously agreed the reasons for refusal.

Votes on the motion to refuse for the reason outlined above were recorded as follows:

For (Refusal): 4
Against (Refusal):2
Abstention:0

Therefore, the application was **REFUSED**.

RESOLVED that the application be **REFUSED** for the following reasons:

-The proposed development, by reason of its excessive size, height, scale and massing, would be visually discordant and detrimental to the character and appearance of the streetscene and wider locality, contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012), Policy D3 of the London Plan 2021, and the Adopted Residential Design Guidance SPD (2016).

-The proposed development does not include a formal undertaking for submission of a Travel Plan, Section 184 Agreement or Local Employment Agreement or to meet the costs of monitoring the Travel Plan, contribution to carbon off-set fund or agreement monitoring fee. The proposal would therefore not address the impacts of the development, contrary to Policies CS5, CS9 and CS13 of the Local Plan Core Strategy (adopted September 2012), policies DM04, DM14 and DM17 of the Development Management Policies (adopted September 2012), the Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (adopted October 2014), the Sustainable Design and Construction SPD (adopted October 2016) and the Planning Obligations SPD (adopted April 2013).

7. FORMER SITE OF PUBLIC CONVENIENCES, JUNCTION OF GREAT NORTH ROAD/STATION ROAD, EN5 1ET - 22/2716/FUL - BARNET VALE

The report and addendum were introduced, and slides presented by the Planning Officer.

The Committee received a verbal representation from Councillor David Longstaff who spoke in relation to the application.

The Committee received a verbal representation from the Architect, George Kythereotis on behalf of the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Councillor Mittra proposed, Councillor Sargeant seconded an amendment to condition 8: "Notwithstanding the provisions of Schedule 3 of the Town and Country Planning (Control of Advertisement) Regulations 2007, as amended, no advertisement displays or structures shall be displayed inside the building or on the external elevations of the building.

Votes on this amendment were recorded as follows:

For (Approval): 5

Against (Approval): 1
Abstention: 0

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to conditions as set out in the addendum and report.

Votes were recorded as follows:
For (Approval): 5
Against (Approval): 1
Abstention: 0

RESOLVED that the application was APPROVED subject to conditions AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

8. CATON, 100 TOTTERIDGE LANE, N20 8JG - 22/2589/HSE - TOTTERIDGE & WOODSIDE

The report and addendum were introduced, and slides presented by the Planning Officer.

The Committee received verbal representations from Marysol Elimer who spoke in objection to the application.

The Committee received verbal representations from the Agent, Malcom Clark for the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to conditions as set out in the addendum and report.

Votes were recorded as follows:
For (Approval): 5
Against (Approval): 0
Abstention: 1

RESOLVED that the application was APPROVED subject to conditions AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

*The Chair requested the meeting be adjourned for the purposes of a break at 9.16pm.

*The meeting continued at 9.22pm

9. 40 CORRINGHAM ROAD, NW11 7BU - 21/6722/HSE - CHILDS HILL

The report was introduced, and slides presented by the Planning Officer.

The Committee received verbal representations from the Mary Crowley and Peter Lusher who spoke in objection of the application.

The Committee received a verbal representation from the Agent, Kevin O'Connor for the Applicant.

The Committee had the opportunity to ask questions of the speakers and officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to conditions as set out in the report.

Votes were recorded as follows:

For (Approval): 2

Against (Approval): 3

Abstention: 1

RESOLVED that the application not be approved.

Councillor Sargeant, seconded by Councillor Vourou moved a motion to refuse the application for the following reasons:

The proposed development, by reason of its excessive size and scale, when considered cumulatively with existing extensions to the property, would represent an overdevelopment of the site which would be detrimental the character and appearance of the property and wider locality, contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012), Policy D3 of the London Plan 2021, and the Adopted Residential Design Guidance SPD (2016).

The committee unanimously agreed the reasons for refusal.

Votes on the motion to refuse for the reason outlined above were recorded as follows:

For (Refusal): 3

Against (Refusal):2

Abstention:1

Therefore, the application was **REFUSED**.

RESOLVED that the application was **REFUSED** for the following reasons:

- The proposed development, by reason of its excessive size and scale, when considered cumulatively with existing extensions to the property, would represent an overdevelopment of the site which would be detrimental the character and appearance of the property and wider locality, contrary to policies CS1 and CS5 of Barnet's

Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012), Policy D3 of the London Plan 2021, and the Adopted Residential Design Guidance SPD (2016).

The Chair exercised her discretion to continue the meeting until 10:30pm. The Committee was in agreement.

10. 69 ENGEL PARK, NW7 2HN - 22/0880/HSE - MILL HILL

The report was introduced, and slides presented by the Planning Officer.

The Committee had the opportunity to ask questions of the officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to conditions as set out in the report.

Votes were recorded as follows:

For (Approval): 6

Against (Approval): 0

Abstention: 0

Therefore, the application was **APPROVED**.

RESOLVED that the application was APPROVED subject to conditions AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

11. 259 WEST HENDON BROADWAY, NW9 7DJ - 22/2697/RCU - WEST HENDON

The report was introduced, and slides presented by the Planning Officer.

The Committee received a verbal representation from ward councillor, Cllr Rishikesh Chakraborty who spoke in objection of the application.

The Committee had the opportunity to ask questions of the officers.

Following discussions, the Committee voted on the Officer recommendation to approve the application subject to conditions as set out in the report.

Votes were recorded as follows:

For (Approval): 5

Against (Approval): 1

Abstention: 0

Therefore, the application was **APPROVED**.

RESOLVED that the application was **APPROVED** subject to conditions **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

12. 51 BOYNE AVENUE, NW4 2JL - 22/5572/HSE - HENDON

The report was introduced, and slides presented by the Planning Officer.

The Committee received a verbal representation from the Applicant, Samuel Epstein.

The Committee had the opportunity to ask questions of the speaker and officers.

Following discussions, the Committee voted on the Officer recommendation to refuse the application for the reasons set out in the report.

Votes were recorded as follows:

For (Refusal): 2

Against (Refusal): 3

Abstention: 1

Therefore, the application was **APPROVED**.

Councillor Mearing Smith, seconded by Councillor Conway moved a motion to approve the application for the following reasons:

Members of the committee considered that, given the presence of large dormer extensions locally, the development would not be out of keeping with the character or appearance of the wider area.

The committee unanimously agreed the reasons for approval.

Votes on the motion to approve for the reason outlined above were recorded as follows:

For (Approval): 3

Against (Approval): 1

Abstention: 2

Therefore, the application was **APPROVED**.

RESOLVED that the application was approved for the following reasons:

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

4D-238A E 01 Existing floor plans

- 4D-238A P 01 Proposed floor plans
- 4D-238A E 02 Existing loft and roof plans
- 4D-238A P 02 Existing loft and roof plans
- 4D-238A E 03 Existing front and rear elevations
- 4D-238A P 03 Proposed front and rear elevations
- 4D-238A E 04 Existing side elevations
- 4D-238A P 04 Proposed side elevations
- 4D-238A E 05 Existing sections
- 4D-238A P 05 Proposed sections
- 4D-238A E 06 Existing front isometric view
- 4D-238A P 06 Proposed front isometric view
- 4D-238A E 07 Existing rear isometric view
- 4D-238A P 07 Proposed rear isometric view
- 4D-238A E 00 Block and location plans

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).

2. This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing 49 Boyne Avenue.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

13. 23 RAVENHURST AVENUE, NW4 4EE - 21/0746/FUL – HENDON

The report was introduced, and slides presented by the Planning Officer.

The Committee received a verbal representation from the Applicant, David Goldberg.

The Committee had the opportunity to ask questions of the officers.

Following discussions, the Committee voted on the Officer recommendation to refuse the application as set out in the report.

Votes were recorded as follows:

For (Refusal): 3

Against (Refusal): 2

Abstention: 1

Therefore, the application was **REFUSED**.

RESOLVED that the application was REFUSED AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice- Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

14. 5 MARLBOROUGH AVENUE, HA8 8UH - 22/2437/HSE - EDGWAREBURY

The report and addendum were introduced, and slides presented by the Planning Officer.

The Committee received a verbal representation from the Applicant, Mr Patcas

The Committee had the opportunity to ask questions of the officers.

Following discussions, the Committee voted on the Officer recommendation to refuse the application as set out in the report and addendum.

Votes were recorded as follows:

For (Refusal): 1

Against (Refusal): 3

Abstention:2

RESOLVED that the application be approved.

Councillor Mearing Smith, seconded by Councillor Conway moved a motion to approve the application for the following reasons:

Members of the committee considered, on balance, in these particular circumstances, that the harm to the amenities of neighbouring occupiers and the character and appearance of the property, is outweighed by the personal circumstances of the applicant.

Proposed conditions:

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

Pre-existing Plans: EX-P001, EX-P002, EX-P003, EX-P004, EX-E001, X-E002, EX-S001, dated January 2021.

As built plans: PR01, PR02, PR03, PR04, PR05, PR06, dated January 2022

Proposed plans: 112A P01, 112A P02, 112A P03, 112A P04, 112A P05, 112A P06, dated 01.04.2022

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).

2.The development shall be implemented in accordance with the hereby approved plans within 4 months from the date of this permission.

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).

3.The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4.Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors shall be placed at any time in the side elevation facing No.7 Marlborough Avenue

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

5.The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

6. Before the building hereby permitted is first occupied the proposed doors and windows in the side elevation facing 3 Marlborough Avenue shall be glazed with obscure glass only up to a point 1.7m above internal floor level and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

Informative 1: Failure to comply with condition 2 will result in further enforcement action.

The committee unanimously agreed the reasons for approval.

Votes on the motion to approve for the reason outlined above were recorded as follows:

For (Approval): 3

Against (Approval): 1

Abstention: 2

Therefore, the application was **APPROVED**

RESOLVED that the application be **APPROVED** for the following reasons:

Proposed conditions:

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

Pre-existing Plans: EX-P001, EX-P002, EX-P003, EX-P004, EX-E001, X-E002, EX-S001, dated January 2021.

As built plans: PR01, PR02, PR03, PR04, PR05, PR06, dated January 2022

Proposed plans: 112A P01, 112A P02, 112A P03, 112A P04, 112A P05, 112A P06, dated 01.04.2022

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).

2. The development shall be implemented in accordance with the hereby approved plans within 4 months from the date of this permission.

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).

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors shall be placed at any time in the side elevation facing No.7 Marlborough Avenue

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

5. The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

6. Before the building hereby permitted is first occupied the proposed doors and windows in the side elevation facing 3 Marlborough Avenue shall be glazed with obscure glass only up to a point 1.7m above internal floor level and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

Informative 1: Failure to comply with condition 2 will result in further enforcement action.

15. ANY ITEM(S) THAT THE CHAIR DECIDES ARE URGENT

None.

The meeting finished at 10.30pm