

PLANNING COMMITTEE B – 26th July 2023

ADDENDUM TO OFFICERS REPORT

Item 6 - Temple Fortune Health Centre has been withdrawn from the agenda by officers for further discussions with the NHS North Central London Integrated Care Board.

Item 11 - 9 Village Road has been withdrawn from the agenda by officers for further amendments to be made to the proposed plans

Pages: 65-104

Item: 7

Reference: 22/3958/FUL

Address: 84 West Heath Road NW3 7UJ 22/3958/FUL

Following the publication of the agenda a further 41 letters of objection have been received raising the following issues:

- Overdevelopment - mass and scale at odds with the surrounding townscape (240% bigger - shoe horned into site)
- Out of keeping with residential character
- Does not achieve net zero carbon emissions
- Proposed basement will be an ecological disaster / impact on water table
- Highway safety - creates significant challenges for cars entering and exiting the site
- Poor access to major roads and public transport
- No offer of affordable care rooms
- Legitimacy of use as a care home
- Loss of Victorian building, worthy of protection
- Major development already approved elsewhere
- CIL payments not met. Long term use as a care home is questioned
- Security concerns from the Republic of Kazakhstan as the owner of the property at 8 Eden Close.

A further 3 letters have been received to reinforce the original objections submitted (as per report). Objections relating to the loss of the Victorian building and the scale and massing of the proposed development have been fully assessed in the committee report as have matters relating to highway safety, carbon emissions, ecology, water table impact, and the provision of affordable rooms.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon occupation of the site. The use of the site as a care home (C2 use) in perpetuity is tightly controlled by planning condition 25, which requires the building to be used as a care home (Use Class C2) and for no other purpose. This is supported by a Use Class and Operator statement (dated March 2023).

The security concerns raised by a neighbouring resident are noted. Should planning permission be approved then the following planning condition shall be imposed (Condition 23). Such measures will involve formal consultation with the Metropolitan Police Service (MPS) prior to occupation.

a) Prior to carrying out above grade works of the approved building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve full Secured by Design' Accreditation.

b) Prior to the first occupation of each residential building a 'Secured by Design' accreditation shall be obtained for the building.

The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012

A late request to speak at committee has been received from Mr Rob White of 3 Strathmore Gardens Finchley London (objection) and Daniel Davis Professorial Research Fellow (support - dial in only).

Pages: 105-128

Item: 8

Reference: 20/1930/FUL

Address: 45 Woodstock Road, NW11 8ES

Further objections received about inaccurate drawings in so far as they do not accurately reflect the height of the original garages on site.

The neighbour has stated that the original garages were 1.53m above the neighbouring garden at 45A Woodstock Road and refers to previous dismissed appeals.

Officer comment on the 2 most recent appeals:

An appeal against refusal of application F/00575/14 was dismissed but not due to the impact on neighbouring amenities. The inspector stated:

Outlook and sunlight for the occupiers of neighbouring properties

13. The dwelling would back onto a garden of a ground floor flat at 43A Woodstock Road and would flank alongside the garden of 45 Woodstock Road
14. In relation to 43A Woodstock Road, the dwelling would be higher than the existing garages by approximately 0.75m given the change in ground levels. Such an increase in height would not be overbearing on the residents' use of their garden because there would still be significant views above the new dwelling to surrounding garden vegetation and buildings behind.
15. My attention has also been brought to the issue of loss of sunlight to the garden of 43A Woodstock Avenue in the afternoon and late evening. However, there would already be some overshadowing caused by the garages and boundary treatments and the additional height of the proposed building would not significantly increase this even in winter months. Furthermore any further loss of sunlight and increased overshadowing would only occur from the direction of the appeal dwelling and would not affect sunlight and overshadowing at other times of day.

From the inspector's analysis, the building in that appeal scheme would be 2.28m above the garden of 43A Woodstock Road.

An appeal against refusal of application 15/04402/S73 was dismissed. However, this was solely due to the impact on the character and appearance of the area and not on any amenity impact to neighbours.

Amendment to condition 3:

a) Notwithstanding the details shown on the approved drawings, no development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall confirm the height of the building to be no more than 2.1m above the Armitage Road pavement and no more than 2.43m above the garden at 43A Woodstock Road.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

Pages: 201-220

Item: 13

Reference: 23/1415/FUL

Address: 845D High Road, London, N3 1TL

An amendment to condition 1 (Approved Plans) has been made, since the submission of the daylight/sunlight assessment. This now forms part of the approved plans as follows:

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

Existing Floor Plans, Elevation and Photo HR/22/P/02
Proposed Floor Plans, Elevations and Photo HR/23/P/03 Rev A
Existing Site Location Plan, Site Plan, and Photos HR/22/P/01
Planning Statement prepared by Henry Planning
Parking Survey prepared by Traffic Surveys dated 10th July 2023
Daylight Sunlight Assessment dated 09.12.2022

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).