

ADDENDUM

PLANNING COMMITTEE A

6TH NOVEMBER 2023

Agenda Item:

Reference: 22/3005/FUL

Site Address: 116 Victoria Road Barnet EN4 9PA

Pages 9 - 46

Further to publication of the committee report, the following clarifications are required:

Pg 20 Condition no 31 should read as follows:

The Commercial Use hereby permitted, (Use Class E of the Town and Country Planning (Use Classes) (Amendments) England) Regulations 2020) shall not be operate or be open to members of the public outside the following times:

- 7am-11pm Sunday to Thursday
- 7am-12am Friday and Saturday

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM01 and DM04 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (2016); and Policies D13 and D14 of the London Plan (2021).

Pg 20 Condition 32 should read as follows:

Prior to occupation of the development, all north facing windows and balustrades (as shown on drawing no's 106_PL2_GA_01 E; 106_PL2_GA_02 E and 106_PL2_GA_03 F) shall be obscured; permanently fixed shut to a height of 1.7 metres; and retained thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjacent residential properties on Victoria Avenue in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Residential Design Guidance SPD (adopted October 2016); and Policies D3 and D6 of the London Plan (2021)

Pg 31 – Add the following text to paragraph 5 “There was 74sqm GIA employment floorspace comprising a 22sqm building on the southern portion of the site and a 52sqm small workshop on the northern portion of the site”.

Agenda Item: 9

Reference: 23/2274/FUL

Site Address: 60 Hervey Close

Pages: 101-117

Following the publishing of the committee report, the agent has provided confirmation that the rear elevation of the outbuilding benefits from a non-operational door.

The report should be amended to include the following:

Condition 11 (Outbuilding) shall be amended to read as follows:

The use of the outbuilding hereby permitted shall at all times be ancillary to, and occupied in conjunction with the first floor flat (flat 2) and the second floor flat (flat 3) and shall not at any time be occupied as separate units or dwellings.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

Additions to the report:

The report fails to recognise the enforcement details related to the site, which should be included in **Section 3** following the site history.

Reference: ENF/0295/22

Address: 60 Hervey Close, London, N3 2HJ

Decision: No further action

Decision Date: 9th March 2022

Description: Dormer not Built in Accordance with Approved Plans

Reference: ENF/1546/22

Address: 60 Hervey Close, London, N3 2HJ

Decision: No further action

Decision Date: 28th January 2023

Description: Untidy Land

Reference: ENF/0074/23

Address: 60 Hervey Close, London, N3 2HJ

Decision: Pending Consideration

Decision Date: N/A

Description: Dormer not Built in Accordance with Approved Plans

Officers notes: No further action required

Further, the report fails to recognise the enforcement details submitted in a schedule by neighbouring properties, which should be included in **Section 4** following summary of objections from neighbouring properties. It should read:

The details of the schedule signed by 12 neighbouring properties is summarised as follows:

- The dormer which will contain flat 3 exceeds the PD size and the materials differ. An enforcement case was opened on the matter which appears to never have been resolved.
- The outbuilding was brought as an enforcement case from deviating from the consented plans. No further action appears to have occurred.
- An enforcement case was opened regarding untidy land at the site.
- The existing dwellinghouse has not been built with the extensions approved at appeal.

Section 5.3 should be amended to include the following where specified, the rest of the section should be read as written in the committee report.

In the section discussing the principle of flats in this location, the following should be included following the below paragraph:

'Hervey Close has a mixed character, comprising a mix of single-family dwellings and flats, many of which are the result of conversions from single dwellings. This mix of residential typology is evident along the whole street. As a result, it is considered that a proposal to convert the dwelling into flats would broadly follow the general pattern and typology of development within the street.'...

There are a number of approved properties along Hervey Close which benefit from planning permission for the conversion of a single dwellinghouse into flats. This includes the following properties, No. 54 (22/3299/FUL), No. 53 (19/0034/FUL), No. 23(18/7093/FUL), No. 65 (14/07747/FUL), 47(14/07747/FUL), 29 (C13106A/06), 51 (F/02770/09), 29 (C13106A/06) and 83 (C13766D/07). In regard to the council tax records, it shows that No. 29 (2 flats), No. 47 (2 flats), No. 51 (2 flats) have been converted into flats. The council tax records also show the following properties are in use as flats No. 1 Hervey Close (3 flats), No. 19 (2 flats) No. 37 (2 flats) which do not have a record of recent planning permission for the conversion to flats.

Section 5.4 should be amended to be read as follows, ensuring responses to the above raised points.

Main objections are addressed within the report. In regard to the enforcement matters discussed in the schedule, the below responses are made:

- {The dormer which will contain flat 3 exceeds the PD size and the materials differ. An enforcement case was opened on the matter which appears to never have been resolved.} The enforcement case regarding this was closed, and determined as no further action required as 'It is considered the minor alterations to the dormer/roof extension dimensions needed to bring the development under 50 cubic metres would not significantly alter the impact on street scene or neighboring properties.'
- {The outbuilding was brought as an enforcement case from deviating from the consented plans. No further action appears to have occurred.} The enforcement case related to this remains open, however comments from the enforcement officer state that no further action is required as it does not appear to deviate from approved plans.
- {An enforcement case was opened regarding untidy land at the site.} This enforcement case was closed on 28th January 2023 as works at the site had recommenced in December 2022 overcoming the issue of untidy land which was due to the 'fact that works had stopped for over a year and the building materials' as enforcement officers concluded.
- {The existing dwellinghouse has not been built with the extensions approved at appeal.} The description of the proposal states 'part retention and part proposal....' to ensure the previously approved extensions allowed at appeal which had begun, and subsequently halted which further planning permission was sought, were included within the description.