

Decisions of the Planning Committee B

18 December 2023

Members Present:-

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

Councillor Gill Sargeant
Councillor Tony Vourou

Councillor Michael Mire
Councillor Lachhya Gurung

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 22 November 2023 be agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

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

None.

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. 2 COURTHOUSE GARDENS LONDON N3 1PX - 23/2458/HSE (WEST FINCHLEY)

The Planning Officer presented the report and addendum.

Salim Sabri addressed the committee and spoke in objection to the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

For: (approval) 5
Against: (approval) 0
Abstained: 1

RESOLVED that the application be **APPROVED** as per the agenda and addendum with amendment to description:

“Part retention of single storey front side and rear extension following the demolition of garage and the removal of the front canopy and its associated supporting columns (Amended Description)”

Additional condition:

“The front canopy and its associated supporting columns shall be demolished and removed from the site within three months from the date of this decision.

Reason: In the interests of the character and appearance of the area and to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016)”

Amended condition 3:

“Within 3 months of the date of this decision, the staircase window(s) in the first floor side elevation facing south shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.”

7. 46 FRIERN PARK LONDON N12 9DP - 23/3007/FUL (WOODHOUSE)

The Planning Officer presented the report.

Olga Puscinska addressed the committee and spoke in support of the application.

Joe Henry addressed the committee as the agent for the application.

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

Further to a discussion, the Chair moved to vote on the Officer’s recommendation to approve the application.

For: (approval) 3
Against: (approval) 2
Abstained: 1

RESOLVED that the application be **APPROVED** 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 or 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).

8. 43 WOOLMEAD AVENUE LONDON NW9 7AX - 21/4767/RCU (WEST HENDON)

The Planning Officer presented the report.

Saadia Samad and Saad Chowdry both spoke in objection to the application.

Barry Stillerman addressed the committee as the applicant for the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

For: (approval) 0

Against: (approval) 4

Abstained: 2

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

The conversion into an HMO is out of keeping with the prevailing character of this part of Woolmead Avenue and results in increased noise and disturbance by reason of increased comings and goings and associated general activity. This is considered detrimental to the character of the locality and the amenities of neighbouring occupiers, contrary to Policies D3 and D14 of the London Plan (2021), Policies CS1 and CS5 of the Local Plan Core Strategy DPD (adopted September 2012), Policies DM01 and DM09 of the Local Plan Development Management Policies DPD (adopted September 2012) and emerging Policy HOU04 of the Draft Local Plan (Reg 24).

The Chair moved to a vote on the motion:

For: (refusal) 4

Against: (refusal) 0

Abstained: 2

The motion was CARRIED. The application was REFUSED (overturned) for the following reasons:

The conversion into an HMO is out of keeping with the prevailing character of this part of Woolmead Avenue and results in increased noise and disturbance by reason of increased comings and goings and associated general activity. This is considered detrimental to the character of the locality and the amenities of neighbouring occupiers, contrary to Policies D3 and D14 of the London Plan (2021), Policies CS1 and CS5 of the Local Plan Core Strategy DPD (adopted September 2012), Policies DM01 and DM09 of the Local Plan Development Management Policies DPD (adopted September 2012) and emerging Policy HOU04 of the Draft Local Plan (Reg 24).

9. 7D HIGH STREET BARNET EN5 5UE - 23/3183/FUL (HIGH BARNET)

The Planning Officer presented the report and addendum.

Terry Katalan addressed the committee and spoke in objection to the application.

Matt Humphreys addressed the committee and spoke as the agent for the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

For: (approval) 4

Against: (approval) 1

Abstained: 0

RESOLVED that the application be APPROVED subject to S106 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 or 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).

10. 44 BRIDGE LANE LONDON NW11 0EG - 23/2904/FUL (GOLDERS GREEN)

The Planning Officer presented the report and addendum.

Eli Poser and Osher Levine both addressed the committee and spoke in support of the application.

Councillor Dean Cohen addressed the committee and spoke in support of the application.

Yael Hamer addressed the committee as the applicant for the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to refuse the application.

For: (refusal) 4

Against: (refusal) 2

Abstained: 0

RESOLVED that the application be 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 recommended conditions/obligations or 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).

11. 15 WEST VIEW LONDON NW4 2SY - 23/3794/RCU (HENDON)

The Planning Officer presented the report.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application amended conditions to reflect the "retrospective" nature of the development:

Omit cond 2 – Time Limit

Amend cond 4 to read as follows:-

"a) Within 3 months of the date of planning permission being granted, details of the proposed cycle spaces and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority.

b) The details approved within part a of this condition shall be implemented in full within 1 month of approval in writing from the Local Planning Authority and retained as such thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy T5 and Table 10.2 of The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012."

Amend cond 5 to read as follows:-

"a) Within 3 months of the date of planning permission being granted, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The details approved within part a of this condition shall be implemented in full within 1 month of approval in writing from the Local Planning Authority and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021."

For: (approval) 4

Against: (approval) 1

Abstained: 1

RESOLVED that the application be APPROVED 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 or 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).

12. 96A AND 96B WEIRDALE AVENUE LONDON N20 0AH -23/2239/FUL (BRUNSWICK PARK)

The Planning Officer presented the report and addendum.

Phil Dunphy addressed the committee as the agent for the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

For: (approval) 6

Against: (approval) 0

Abstained: 0

RESOLVED that the application be APPROVED as per the agenda and addendum with the additional condition 19:

a) 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.

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.

13. LAND TO THE REAR OF 2 HUTTON GROVE LONDON N12 8DX- 23/4243/FUL (WEST FINCHLEY)

The Planning Officer presented the report and addendum.

David Brown addressed the committee as the agent for the application.

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

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

For: (approval) 5

Against: (approval) 1

Abstained: 0

RESOLVED that the application be **APPROVED** as per the agenda and addendum with amendments to conditions:

Amendment to the wording of Condition 1, following addition of revision number to Design and Access Statement:

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

Site Location Plan P001-S2-P0 Planning Statement dated September 2023, prepared by Newsteer

Arboricultural Impact Assessment and method statement, dated 11/09/2023, prepared by ACD Environmental Tree Report (Tree Survey and Constraint Advice), dated 11/09/2023, prepared by ACD Environmental Tree Protection Plan dated 11/09/2023 Tree Survey Plan, dated 11/09/2023 Desktop Study report dated September 2023 Appendix Four - Envirocheck report: Datasheet, dated 11/09/2023 Appendix Three - Ordnance Survey Map Records prepared by Envirocheck, dated 11/09/2023 BGS Flood GF S Data dated 11/09/2023 Daylight and Sunlight Report 26 September 2023 Proposed Elevations Sheet 1 P200-S2-P1 Proposed Elevations Sheet 2 P201-S2-P2 Proposed Site Block Plan P002-S2-P0 Proposed Proposed Roof P103-S2-P1 Proposed Ground Floor P100-S2-P1 Proposed First Floor P101-S2-P1 Proposed Cross Section P300-S2-P2 Existing Ground Floor P400-S2-P1 5 Existing Elevation P401-S2-P2 Design and Access Statement S2-P3 Swept-path analysis 20-100 Rev 02

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).

Addition of the four following conditions, regarding Air Source Heat Pumps and heating, and Secured By Design:

Condition 24: a) Prior to installation of any ventilation / extraction plant, a report shall be carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

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

Condition 25: The level of noise emitted from the air source heat pumps plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

Condition 26: In the event that any boilers are installed on site, details of these shall be submitted prior to installation and approved in writing by the Local Planning Authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the Policy SI1 and SI2 of the London Plan 2021 in relation to air quality.

Condition 27: Prior to the first occupation of the development hereby approved, details shall be submitted to, and approved, in writing, by the Local Planning Authority to demonstrate that the building can achieve full 'Secured by Design' Accreditation and 'Secured by Design' accreditation shall be obtained for the approved development. 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. Addition of the following sentence, to Page 133 of the delegated report, in regard to highways comments: The council's highways officer has reviewed the submitted emergency access drawing and confirmed that the fire appliance vehicle will be able to reach a point within 45m of the proposed building, which is acceptable. Furthermore, the swept path drawings showing a car entering and leaving the single parking bay on the forecourt in forward gear are acceptable.

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

None.

The meeting finished at 9.31pm