

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 22 SEPTEMBER 2009**

COUNCILLORS

PRESENT Alan Barker, Dogan Delman, Jayne Buckland, Lee Chamberlain, Peter Fallart, Ahmet Hasan, Chris Joannides, Donald McGowan, Toby Simon, Dino Lemonides and Anne-Marie Pearce

ABSENT Andreas Constantinides, Annette Dreblow, Jonas Hall and Kieran McGregor

OFFICERS: Linda Dalton (Legal Services), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Area Planning Manager), Steve Jaggard (Environment & Street Scene), Aled Richards (Head of Development Services) and Mike Brown (Team Leader - Conservation) Jane Creer (Secretary)

Also Attending: Councillor Martin Prescott.
Approximately 11 members of the public, applicants, agents and their representatives.
Dennis Stacey, Chairman of the Conservation Advisory Group.

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WELCOME AND LEGAL STATEMENT

The Chairman welcomed attendees to the Planning Committee and introduced Linda Dalton, Legal representative, who read a statement regarding the order and conduct of the meeting.

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APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Constantinides, Dreblow, Hall and McGregor.

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DECLARATION OF INTERESTS

Councillor Chamberlain declared a personal interest in Report No. 82 – Conservation Area Review Phase III.

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MINUTES OF PLANNING COMMITTEE 26 AUGUST 2009

AGREED the minutes of the meeting held on 26 August 2009 as a correct record.

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REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION

RECEIVED the report of the Assistant Director, Planning and Environmental Protection (Report No. 80).

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APPLICATIONS DEALT WITH UNDER DELEGATED AUTHORITY

NOTED that a copy of those applications dealt with under delegated powers was available in the Members' Library and via the Council's website.

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ORDER OF AGENDA

AGREED that the order of the agenda be varied to accommodate the members of the public in attendance at the meeting. The minutes follow the order of the meeting.

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TP/09/0669 - 4, RADCLIFFE ROAD, LONDON, N21 2SE

NOTED

1. Receipt of two additional letters of objection, circulated to Members, and summarised verbally by the Planning officer.
2. The Planning officer's clarification that the OS map with the report was indicative only: the plans showed clearly that the proposed development did abut the common boundary with other Radcliffe Road properties.
3. The deputation of Mr Jonathan Ward, neighbouring resident, including the following points:
 - (i) He lived in the semi-detached house next door and had concerns regarding the effect of the car lift on his 200 year old physically connected property.
 - (ii) He did not have double glazing and noise passed through from next door.
 - (iii) Noise limit safeguards should also apply to adjoining houses to ensure protection, and there was a need for a post construction survey.
 - (iv) He had found 12 case examples in other boroughs where these types of conditions were set, and therefore requested additional safeguards be made.

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4. The deputation of Mr Geoff Rubenstein, neighbouring resident, including the following points:
 - (i) He lived at no. 8, Radcliffe Road and faced the existing flank wall of no. 4.
 - (ii) The proposed development would be contrary to UDP policies.
 - (iii) He had concerns about the scale of the development and the effect on visual outlook and amenities of neighbouring home owners.
 - (iv) The report referred to a distance of 18m from the rear of nos. 6, 8 and 10 Radcliffe Road, but it would be only 14m from no. 10.
 - (v) The development would encroach on the boundary with three properties, ruling out maintenance from within the curtilage and leading to tension with other property owners.
 - (vi) The development would prejudice future adjoining site development.
 - (vii) There would be a loss of mature boundary trees.
 - (viii) His written representation listed relevant UDP policies, and suggested additional conditions to any planning permission.

5. The response of Mr Michael Wallis, PMSS, the Agent and architect, including the following points:
 - (i) The building would not be right up against the boundaries due to the foundations and to allow guttering to overhang.
 - (ii) Mutual access would have to be arranged with neighbours for maintenance.
 - (iii) The car lift would be a small domestic version, and would be contained within a concrete basement.
 - (iv) He had offered neighbours the opportunity to inspect a lift.
 - (v) He had responded to all questions from Planning officers and had to comply with building regulations and relevant legislation.
 - (vi) The extension would be two storey at the front, but towards the rear near no. 10 would be single storey and would not affect rights of light.

6. The statement of Councillor Martin Prescott, ward councillor, including:
 - (i) He had been contacted by a number of residents concerned by the scale of the proposed extension. It would be a substantial extension on a dwelling that was currently in keeping with other houses in the area.
 - (ii) The boundary issues could cause problems in building the extension and there was no certainty that agreement would be reached with other property owners.
 - (iii) This proposal was clearly contentious in the local community, and for reasons of size and massing in general he would urge refusal.

7. The Planning officer's confirmation that a post completion survey would be incorporated into Condition 8.

8. Members' discussion and points including that all risk associated with the car lift should be borne by the developers, it was important to safeguard occupiers of the next door property, and to ensure measurements of noise and vibrations were made at the boundary. A

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maintenance schedule was requested to ensure there was no deterioration over time.

9. Responses to further queries about the car lift. The lift was specifically designed and scaled for this type of operation. Maximum noise levels would be set and therefore enable any necessary enforcement action to be taken.
10. Planning officers' confirmation that agreements between neighbours regarding maintenance access were a civil matter.
11. Planning officers' confirmation that excavations were likely to impact on the conifer trees at the boundary on neighbours' land, but that these were not worthy of a tree preservation order.
12. Planning officers' clarification of UDP policies, and view that on balance the development was acceptable and would not unduly prejudice outlook and amenities.
13. Attention drawn to the age of the co-joined property and potential affects of vibrations from the proposed car lift, and the quoted recommendation that garages with such lifts be built separately from dwellings.
14. Planning officers' confirmation that the car lift would be a hydraulic system, that detailed information had been provided in the specifications, and that Environmental Health officers had been consulted. Issues relating to vibrations, acoustics and affects on foundations would be covered by building regulations under separate legislation and the development would be subject to a building regulations application.
15. Members' continued concerns regarding vibrations and impact on no. 2 in particular and a proposal that a decision be deferred until further technical information could be provided, supported by a majority of the Committee.

AGREED that a decision on the application be deferred.

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TP/09/0969 - 311B, CHASE ROAD, PICKARD CLOSE, LONDON, N14 6JS

NOTED

1. Receipt of two additional letters of objection.
2. The objection of Councillor Martin Prescott.
3. Councillor Martin Prescott's statement, including the following points:

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- (i) He understood that a traffic survey in relation to the application had been carried out in the summer holiday period and not at peak times.
 - (ii) Chase Road was a major north/south route and there were three schools locally and the road was already jammed every morning and afternoon in term time.
 - (iii) The road was dangerous for children to cross and no more traffic-generating facilities should be permitted; locating another nursery school here did not make sense.
- 4. The Planning Transportation officer's clarification that traffic generation evidence was based on a predicted position based on replication of traffic movements at the applicant's other nursery school.
 - 5. The Chairman's proposal that a decision on the application be deferred so that a review of traffic could be carried out at this site and at peak times, supported by the Committee.

AGREED that a decision on the application be deferred pending further review of the Transport Assessment and for a site visit.

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LBC/09/0018 - BROOMFIELD PARK, BROOMFIELD LANE, LONDON, N13 4HE

NOTED

- 1. An alteration to the recommendation.
- 2. Receipt of a letter from the Friends of Broomfield Park in support of the proposal.
- 3. Confirmation that Conservation Advisory Group supported the officers' recommendation, and that the greenhouse had no use and no historical resonance.

AGREED that in accordance with Regulation 12 of the Planning (Listed Buildings and Conservation Areas) Act regulations 1990, the Head of Development Services be authorised to make an application to the Secretary of State for Communities and Local Government to seek consent for the proposed works, subject to the conditions set out in the report to any approval, for the reason set out in the report.

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TP/07/1029 - 4, PRINCES ROAD, LONDON, N18 3PR

NOTED

- 1. Attention was drawn to the "Note for Members", reviewing the case and setting out conditions which could be applied if planning permission was granted.

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2. Amendments and corrections to the existing conditions.
3. An additional condition on Details of Extract Ventilation (C20).
4. Additional conditions requested by Environmental Health in relation to noise control and details of the air conditioning plant, appropriate to safeguard neighbours' interests.
5. The Chairman's reminder that Members had a long discussion when the application was originally presented to Committee on 24 June 2009.
6. The Planning Officer's confirmation that the report should refer to parking areas in the plural as an area had been secured for additional car parking.
7. Members' comments including satisfaction that surrounding industries would not be compromised, that an industrial unit would remain on the ground floor and that there would be employment generated by the proposal.
8. Councillor Simon's request for an additional condition to cover the maximum number of people permitted on the premises at any one time.
9. The advice of the Head of Development Services in respect of robust reasons for granting planning permission.
10. The Committee voted unanimously not to support the officers' recommendation that planning permission be refused.

AGREED that planning permission be granted subject to conditions set out in "Note for Members", and the additional conditions below, for the reasons set out below.

Additional conditions:

(i) Before the use commences the premise shall be acoustically insulated in accordance with a scheme agreed with the local planning authority, to provide a 0 dB increase in the background sound level at the boundary of the nearest residential property when any function is taking place.

Reason: in order to safeguard the amenities of neighbouring residential properties.

(ii) Prior to any use the premise shall be fitted with suitable air conditioning plant to negate the need to open windows and doors during any activity to ensure the background noise level increase is 0 dB at the boundary of the nearest residential property when any function is taking place.

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Reason: in order to safeguard the amenities of neighbouring residential properties.

(iii) No more than 250 visitors and 25 staff shall be in attendance at the first floor premises at any one time.

Reason: in order to ensure the level of activity remains appropriate having regard to on street parking and policy on industrial land and the need to safeguard the free flow and safety of traffic accessing the industrial estate.

Reasons for Decision:

1. Due to the retention of the ground floor in commercial use, the proposal would not harm the availability of industrial premises having regard to the objectives of Policy (II)E2 of the Unitary Development Plan and policies 3B.1, 3B.4 and 3B.11 of the London Plan.
2. Due to the parking arrangements proposed by the applicant including the provision of the two parking areas, the proposal would not harm conditions relating to the free flow and safety of traffic on the adjoining highway having regard to Policies (II)GD6 and (II)GD8 of the Unitary Development Plan.
3. Due to the conditions imposed, the use would not give rise to conditions prejudicial to the amenities of neighbouring and nearby residential properties having regard to Policies (I)GD1 and (I)GD2 of the Unitary Development Plan.

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TP/09/0510 - PUBLIC HOUSE, 80-84, CHASE SIDE, LONDON, N14 5PH

NOTED

1. Additional standard conditions on Levels and External Lighting.
2. The Planning Officer's confirmation that the property to be converted had had no formal use for some time, but was currently a mixture of storage and office space.
3. Councillor Simon's request for an additional condition to require a management plan for the communal garden areas, and the Planning Officer's clarification of the terraces and balconies proposed plus the contribution to off site provision.

AGREED that subject to the completion of a S106 agreement to secure the provision of off site parking, a financial contribution to off site improvements to the rear service road and play areas, the Head of Development Services be authorised to grant planning permission subject to the conditions set out in the report and additional condition below, for the reasons set out in the report.

Additional Condition:

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Details of a scheme of management and maintenance of the amenity areas including landscaping, shall be submitted to and approved by the local planning authority. The amenity areas shall be laid out in accordance with the approved details before the occupation of the first unit and thereafter maintained as set out in the approved details.

Reason: in the interests of residential amenity and the quality of the resultant accommodation.

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TOWN PLANNING APPEALS

NOTED the information on town planning application appeals received from 08/08/2009 to 04/09/2009.

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SECTION 106 AGREEMENTS - MONITORING INFORMATION (REPORT NO. 81)

RECEIVED the report of the Assistant Director, Place Shaping (Report No. 81).

NOTED

1. Officers had presented simplified reports in response to the Committee's request, and had removed historical information.
2. Tables to be produced to enable reproduction with no loss of data.
3. Planning Committee noted the Section 106 Agreements monitoring information.

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CONSERVATION AREA REVIEW PHASE III (REPORT NO. 82)

RECEIVED the report of the Director of Place Shaping and Enterprise (Report No. 82).

NOTED

1. The Conservation Area Review Phase III proposals were agreed by Cabinet on 16 September 2009, with the exception of the Fore Street, Edmonton Conservation Area boundary amendments.
2. The approved boundary amendments and new conservation area were immediately designated.
3. Following public consultation and the receipt of any comments from Members of the Planning Committee, the documents would be

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amended to reflect appropriate comments received and would be reported to Cabinet in November 2009.

4. Full Council on 23 September 2009 would receive a report of the Director of Place Shaping and Enterprise recommending that the permitted development rights be withdrawn from the householders within the extended and the new conservation areas.
5. Members were requested to forward any comments to Mike Brown, Team Leader, Conservation.