

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON TUESDAY, 24 APRIL 2012**

COUNCILLORS

PRESENT Andreas Constantinides, Toby Simon, Kate Anolue, Yasemin Brett, Lee Chamberlain, Ingrid Cranfield, Dogan Delman, Ahmet Hasan, Ertan Hurer, Nneka Keazor, Paul McCannah, Anne-Marie Pearce, Martin Prescott and George Savva MBE

ABSENT Yusuf Cicek

OFFICERS: Bob Ayton (Schools Organisation & Development), Linda Dalton (Legal Representative), Bob Griffiths (Assistant Director, Planning & Environmental Protection), Andy Higham (Planning Decisions Manager), Steve Jaggard (Traffic & Transportation Officer) and Aled Richards (Head of Development Management) Jane Creer (Secretary)

Also Attending: Dennis Stacey, Chairman, Conservation Advisory Committee
Approximately 50 members of the public, applicants, agents and their representatives and observers
Ward Councillors: Councillors Georgiou, R. Hayward, Neville and E. Smith

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WELCOME AND LEGAL STATEMENT

The Chairman welcomed everyone to the meeting, with apologies for the unavoidable change of room, and the Legal Services representative read a statement regarding the order and conduct of the meeting.

804

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Cicek and apologies for lateness were received from Councillor Cranfield.

805

DECLARATION OF INTERESTS

NOTED

1. Councillor Constantinides declared a personal and prejudicial interest in application ref TP/11/1546 – Oakthorpe Primary School, Tile Kiln Lane, London, N13 6BY, as he was a Governor at the school, and had been involved in the original decision, and took no part in the discussion or vote on that application.

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2. Councillor Anolue declared a personal interest in application ref TP/11/1546 – Oakthorpe Primary School, Tile Kiln Lane, London, N13 6BY, as she was a ward councillor and had agreed with the Enfield Residents Priority Fund application.
3. Councillor Brett declared a personal interest in application ref TP/11/1391 – 26A Eversley Crescent, London, N21 1EJ, as she knew the objector.
4. Councillor Hasan declared a personal and prejudicial interest in application ref TP/11/1391 – 26A Eversley Crescent, London, N21 1EJ, as he was a friend of the applicant, and took no part in the discussion or vote on that application.
5. Councillor Hurer declared a personal and prejudicial interest in application ref TP/11/1391 – 26A Eversley Crescent, London, N21 1EJ, as he was a friend of the objector, and a personal (but not prejudicial) interest as he knew both the applicant and his architect, and took no part in the discussion or vote on that application.
6. Councillor Delman declared a personal and prejudicial interest in application ref TP/11/1391 – 26A Eversley Crescent, London, N21 1EJ, as he had had personal dealings with the applicants and architect, and took no part in the discussion or vote on that application.

806

MINUTES OF SPECIAL PLANNING COMMITTEE 7 MARCH 2012

AGREED the minutes of the Special Planning Committee held on 7 March 2012 as a correct record.

807

MINUTES OF PLANNING COMMITTEE 27 MARCH 2012

AGREED the minutes of the Planning Committee held on Tuesday 27th March 2012 as a correct record.

808

REPORT OF THE ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL PROTECTION (REPORT NO. 245)

RECEIVED the report of the Assistant Director of Planning & Environmental Protection (Report No. 245).

809

ORDER OF AGENDA

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

810

TP/11/1391 - 26A EVERSLEY CRESCENT, LONDON, N21 1EJ

NOTED

1. Councillors Delman, Hasan and Hurer, having declared a personal and prejudicial interest, left the meeting room at this point, and took no part in the discussion or vote.
2. Following an objection raised by a member of the public present at the meeting, and having taken advice from the Legal Services representative and the Chairman, Councillor Brett left the meeting room and took no part in the discussion or vote to avoid any adverse perception. Councillor Brett reiterated that she did not have a prejudicial interest in the matter.
3. Receipt of two further letters of objection, circulated to all Planning Committee Members at the meeting.
4. Planning Committee Members had made a site inspection visit on 21/4/12.
5. The introduction by the Planning Decisions Manager, including:
 - a. Information on the amended plan taking away the dormer window facing 26 Eversley Crescent, with apologies that technical problems had delayed downloading of the plan, but that this should address some of the objector's concerns.
 - b. Most of Eversley Crescent was two storey dwellings and officers considered this development acceptable to the street scene.
 - c. The objector was concerned about the overbearing impact and that there were no windows overlooking from the current property.
 - d. A late letter highlighted a covenant, but planning permission would not override any legal obligations on the landowner.
 - e. Members had been shown the exact location and angles of proposed windows on the site inspection visit.
6. The deputation of Miss Sinem Sirri, including the following points:
 - a. Her family lived at no 26, next door to the site, which was on a curve in the Crescent and on a slope downhill from the site.
 - b. The level of the roof of the proposed development would be significantly higher than no 26 and be like having a three storey house towering over.
 - c. Some windows of no 26, including her bedroom, would be overlooked.

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- d. Even if windows were of obscured glass, they could still be opened, and would affect her family's privacy, especially when using their patio and conservatory.
 - e. The development would block sunlight to their house and garden.
 - f. The 'mature trees' had been referred to, but one was already dead and may fall down.
 - g. This development would change the character of the road and the population due to loss of a bungalow.
 - h. There were concerns about the officers' report and the drawings on file and online.
7. Councillor Cranfield arrived at the meeting, but having missed part of this item, did not vote on this application.
8. The response of Mr Kieran Rushe (Planning Consultant), Dalton Warner Davis, on behalf of the applicant, including the following points:
- a. He had liaised closely with Planning officers in relation to the scale, footprint, and amenity issues.
 - b. Representations made by residents had been considered and amendments made to plans to ensure privacy and amenities were not harmed. In particular, the dormer window had been revised.
 - c. Eversley Crescent was a street characterised by large single family dwellings, many with substantial footprints, and this development would be more in keeping with the street scene than the existing bungalow.
 - d. Materials to be used would reflect the character of the street.
 - e. This was an appropriate development in this suburban location and would represent an improvement to the borough's housing stock.
 - f. The relationship to neighbouring properties would be no different to others in the street.
9. The statement of Councillor Neville, Grange Ward Councillor, received late, including the following points:
- a. He was speaking on behalf of objectors.
 - b. The proposals represented overdevelopment of this site, which was never intended to be developed in the way proposed, as evidenced by the comparatively recent covenant.
 - c. There would be overlooking, loss of privacy and loss of amenity, and the streetscape of Eversley Crescent would be altered.
10. Mr Rushe was invited to respond to Councillor Neville's late deputation, including the following points:
- a. The density level would be well within London Plan standards, and there was sufficient parking and amenity space, so it would not be overdevelopment.
 - b. The covenant was not a material issue in determining the planning application.
11. Members' debate, and questions responded to by officers, including:
- a. Members' concerns regarding the amount of building on the plot.

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- b. Members raised concerns about the discrepancies of the plans, the Planning Officer's advice was that at the site inspection discrepancies with the plans had been addressed specifically and that the revised plans had been included within the Members Pack.
 - c. The only procedural irregularity was that the revision in respect of the deletion of the dormer window had not been available online due to an IT issue at the Council. However the revised plans had been included in the Members pack.
 - d. Officers' advice that there was a 1.8m high fence and trees abutting the property at ground level, and that the first floor relationship would be one which could be found elsewhere, overlooking rear gardens. The skylight would be above head height and could be obscure glazed.
 - e. Officers agreed to amend Condition 12 (Obscure Glazing) so that it included the proposed skylight.
 - f. In response to Members' comments Officers' confirmation that the proposal was not considered incongruous or to have an unreasonable relationship in the street scene.
 - g. Officers' confirmation that there was considered to be no detrimental impact on no 28 Eversley Crescent.
12. The support of the majority of the Committee for the recommendation: 5 votes for and 4 against.

AGREED that planning permission be granted, subject to the conditions set out in the report and amendment to Condition 12 as above, for the reasons set out in the report.

811

TP/11/1682 - 17 EVERSLEY CRESCENT, LONDON, N21 1EL

NOTED

- 1. The introduction by the Planning Decisions Manager including details of the previous refused planning permission and the reasons for recommendation of approval to this application.
- 2. Planning Committee Members had made a site inspection visit on 21/4/12.
- 3. The deputation of Ms Annette Cafferkey on behalf of neighbouring residents, including the following points:
 - a. No 15 Eversley Crescent belonged to her parents, and she was speaking on their behalf.
 - b. Many houses in this road had been extended and they were all close to one another, meaning that overlooking was an inherent problem in the area and should be minimised when making planning decisions.
 - c. The proposed roof terrace would extend 60 feet down the garden and would rise and protrude over the garden fence.

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- d. No 15 was at a much lower level: the patio would be overlooked and there would be views into the house and a substantial impact on privacy and amenity.
 - e. The footpath did not detract from the point that nos 15 and 17 were neighbouring properties and the garage would not act as a shield.
 - f. The application was in breach of policies on visual impact.
 - g. Concerns were raised about revised plans having been submitted but not consulted upon.
4. The response of Mr Hector McNeil, the applicant, including the following points:
 - a. He had lived in the area for over 20 years, had three young children and wanted a beautiful family home on this large plot.
 - b. The extension would be mainly embedded into the basement.
 - c. The proposals included green ideas, and had been worked on in liaison with Planning officers, and incorporated all their requests.
 - d. There was a significant alleyway between nos 15 and 17, and he had tried to keep overlooking to a minimum.
 5. During discussion, it was agreed that an additional condition would be imposed to secure additional off site landscaping.
 6. Officers' clarification of the proposals and plans and key differences from the previously refused scheme. Officers provided clarification on the height of the fences.
 7. The support of the majority of the Committee for the recommendation with the additional conditions discussed: 12 votes for and 1 abstention.

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

Additional Condition

Prior to the commencement of development, details of a scheme of additional tree planting along the adjoining footpath shall be submitted to and approved by the local planning authority. The approved scheme to be implemented in accordance with details agreed with the Council as owner of the adjoining land.

Reason: In the interests of safeguarding the amenities of neighbouring residential properties and the character of the surrounding area.

812

TP/11/1824 - 68 MEADWAY, LONDON, N14 6NH

NOTED

1. Receipt of a petition containing 44 signatures from local residents who objected to the proposal.

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2. The deputation of Mrs Margaret Thrasyvoulou, local resident, including the following points:
 - a. The conservation character appraisal of the Meadway Estate highlighted the long narrow plots with views between the houses. Closing the gap between houses would adversely impact on the Conservation Area and would be contrary to agreed policies. This principle was upheld in a similar case in 2011.
 - b. Proposed velux windows would considerably detract from the appearance of the street scene.
 - c. The building footprint would be very large, and in the site's prominent location its impact would be out of keeping and would not enhance the Conservation Area.
 - d. The impact on neighbouring properties would be immense. The development would come right up to the boundary with no 66 and make maintenance impossible.
 - e. Conservation Advisory Group (CAG) voted against this proposal in February 2012, and there was objection from the local conservation group, neighbouring residents, and the wider public.

3. The statement of Councillor E. Smith, Southgate Ward Councillor, including the following points:
 - a. He was speaking on behalf of local residents who objected to the proposal.
 - b. The Meadway Estate was attractive and desirable: the Council had created a Conservation Area in order to protect its character and appearance, and should therefore reject this application.
 - c. This was an exceedingly large development and to allow it would detract from the Conservation Area. Granting the development would create a precedent and the designation was designed to protect the specific arts and craft character.

4. The response of Mrs Helen Poli, the applicant, including the following points:
 - a. The application was to make a home suitable for her growing family to remain in the area.
 - b. Designs took account of the size, shape and materials characteristic of the area, and modifications had been agreed following several meetings with Planning officers, to take account of the two adjoining properties.
 - c. Chimney stacks had been incorporated to retain the character of the original house, and the development would inset from the boundary to maintain openness.
 - d. Velux windows would only be used at the rear and would not be visible from the street.

5. The statement of Mr Dennis Stacy, Chairman of CAG, highlighting concerns about the bulk and size, and the fear that this would create a precedent in the Meadway Estate towards a terracing effect and closing of spaces between the houses. Concern that this would be a highly visible development.

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6. The Planning Decisions Manager's confirmation of revised plans in respect of the front roof light and retention of existing chimneys.
7. The Planning Decisions Manager responded to Members' queries including spacing and street scene issues in the Conservation Area, the velux lights on the front elevation as indicated on the plans, and the terracing effect.
8. During Members' debate, the Chairman's proposal, seconded by Councillor Delman, that a decision be deferred to enable Members to make a site visit, supported unanimously by the Committee.

AGREED that a decision be deferred to enable Members to make a site visit.

813

TP/11/1563 - 135-137 BOWES ROAD, LONDON, N13 4SE

NOTED

1. The introduction by the Planning Decisions Manager highlighting the key issues of traffic generation and parking, and that further surveys identified pressure on on-street parking.
2. In response to concerns, an amendment to Condition 8 to limit the permission to two years, to allow for further review of traffic and parking issues.
3. The statement of Councillor Georgiou, Bowes Ward Councillor, including the following points:
 - a. Residents of Hardwicke Road were concerned about parking issues. The road was narrow, was a dead end and had some double yellow lines, and cars reversing made it dangerous.
 - b. The area was also affected by commuter parking pushed into the vicinity as a result of a nearby CPZ introduced in Haringey.
 - c. The report referred to a loss of two or three parking spaces because of the loss of the garage, but with eight students arriving twice a week there could potentially be 10 or 11 parking spaces taken up, which would cause a real problem in the area.
 - d. He would like the application to be refused outright because of the repercussions for the local area.
4. The advice of the Traffic and Transportation officer confirming parking pressures and that whether the students would arrive by public transport or car was an issue, but a temporary permission would permit re-evaluation of the impact.
5. Members' debate of issues raised and highlighting the good public transport links, and the need for medical professionals, and the correspondence received.

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6. Councillor Brett's request that the possibility of allocating parking spaces as part of the North Circular improvements be investigated.
7. The Traffic and Transportation officer agreed to the deletion of Condition 6 (which could be addressed through any permanent approval).
8. The unanimous support of the Committee for the recommendation for a two year approval, with one abstention.

AGREED that planning permission be granted, subject to the conditions set out in the report and amendments above, for the reasons set out in the report.

814

URGENT ITEM: P12-00786MMA - 74, WAGGON ROAD, BARNET, EN4 0PP

NOTED

1. The reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002, with the exception of this report. The reason for urgency was set out on the supplementary agenda.
2. The introduction by the Planning Decisions Manager highlighting the key issues, particularly the error on drawings submitted in 2011.
3. Planning Committee Members had made a site inspection visit on 21/4/12.
4. The deputation of Mr Norman Luper, neighbouring resident, including the following points:
 - a. He lived next door at no 72 Waggon Road.
 - b. If the planning permission for TP/11/0317 had been complied with correctly there would have been no problem, but it was breached and an additional 2 feet 3 inches was taken.
 - c. The builder said he had been instructed to contravene the planning permission, indicating a deliberate intent to breach planning.
 - d. No objections were raised to the originally approved scheme on the basis of the officers' advice that it would comply with the Council's policy regarding light.
 - e. A further attempt at contravention was made, but an additional window opening in the flank wall was removed following the Enforcement officer visit.
 - f. The development had a detrimental impact on no 72 as its bulk would have an overbearing intrusive effect and it would lead to loss of sun and daylight and overshadowing.

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- g. The proposal would mean the view of the open farmland from his first floor window would be impaired.
 - h. The proposal would create a terracing effect and would create a precedent for others.
- 5. The response of Mr David Lane, DLA Town Planning Ltd, the agent, including the following points:
 - a. The original architect for the scheme confirmed that the extensions did not project beyond the line of the existing flank walls and the original width was unchanged.
 - b. The nearest first floor window was not in a habitable room, and the window was not in an extension so this impact was not engaged.
 - c. The applicant wanted to develop a family home and had not set out to mislead, but had employed an architect and a reputable builder.
 - d. Officers had advised that the proposed amendments would not result in any additional harm to existing amenities of occupiers of the adjoining properties.
 - 6. Members' debate of key issues, with reference to what they had observed on the site visit.
 - 7. The Planning Decisions Manager responded to Members' queries including clarification of heights of the original dwelling and current proposal.
 - 8. The unanimous support of the Committee for the recommendation, with two abstentions.

AGREED that planning permission be granted, subject to the conditions set out in the report, for the reason set out in the report.

815

PC12-00139LDC - 18 HUXLEY ROAD, LONDON, N18 1NN

NOTED

- 1. The application was reported to Planning Committee in the interests of probity and openness of the decision making process, because the plans had been drawn by Development Management's own Plan Drawing Service.
- 2. The unanimous support of the Committee for the recommendation, with one abstention.

AGREED that a Lawful Development Certificate be issued for the reason set out in the report.

816

TP/11/1546 - OAKTHORPE PRIMARY SCHOOL, TILE KILN LANE, LONDON, N13 6BY

NOTED

1. Having declared a personal and prejudicial interest, Councillor Constantinides left the room and took no part in the discussion or vote on the application.
2. In Councillor Constantinides' absence, Councillor Simon acted as Chairman for this item.
3. The introduction by the Planning Decisions Manager highlighting that this recommendation was finely balanced.
4. Members who had made a site inspection visit on 21/4/12, had thought that the visual impact was limited and was justified by the security improvement in an isolated location.
5. Receipt of an additional letter from the school identifying the security justification behind the proposal, and that the school was willing to put in planting against the fence.
6. The majority of the Committee did not support the recommendation to refuse planning permission: 1 for and 11 against.
7. The support of the majority of the Committee for the proposal that planning permission be granted: 11 for and 1 against.

AGREED that planning permission be granted, subject to conditions set out below and for the reason set out below.

Conditions:

Within 3 months of the date of the decision notice, details of a planted screen to be located behind the fencing hereby approved shall be submitted to the local planning authority for approval. The agreed planting scheme shall be carried out in accordance with the approved details in the first planting season after completion or occupation of the development whichever is the sooner. Any planting which dies, becomes severely damaged or diseased within five years of planting shall be replaced with new planting in accordance with the approved details.

Reason: To provide a satisfactory appearance for the development within the street scene.

Reason for Granting:

The fencing by virtue of its overall height and length directly abutting the street frontage of Tile Kiln Lane would not detract from the visual amenities of the street scene or the character of the surrounding area, contrary to Policies (II) GD3 of the Unitary Development Plan, CP30 of the Core Strategy and 7.4 and 7.6 of the London Plan (2011).

APPEAL INFORMATION

NOTED the information on Town Planning application appeals received from 12/3/12 to 26/3/12 summarised in tables.

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END OF MUNICIPAL YEAR

NOTED

1. This was the final meeting of the Planning Committee in the 2011/12 municipal year.
2. The Vice Chairman's thanks to the Chairman and officers for their work this year was recorded.
3. The Chairman thanked all Members for their participation and co-operation on the Committee and wished those Members well who would be leaving the Committee, particularly Councillor Anolue who would be serving as Mayor in 2012/13.