

**LOCATION:** 47-49 Woodstock Road, London, NW11 8QD  
**REFERENCE:** F/06062/13 **Received:** 20 December 2013  
**WARD(S):** Childs Hill **Accepted:** 20 December 2013  
**Expiry:** 14 February 2014

**Final Revisions:**

**APPLICANT:** Mr Morris  
**PROPOSAL:** Demolition of existing pair of semi-detached houses and erection of 1No. 4 storey building plus double storey basement and including rooms in roof space, to accommodate no.9 self contained flats and no.17 underground parking spaces, storage, waste storage facilities and associated landscaping (Amended Description).

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement; Drawing no. WR13-PP-01; Drawing no. WR13-PP-02; Drawing no. WR13-PP-06 (date received 20-Dec-2013); Drawing no. WR13-PPA-200 Rev C; Drawing no. WR13-PPA-201 Rev C; Drawing no. WR13-PPA-202 Rev C; Drawing no. WR13-PPA-203 Rev C; Drawing no. WR13-PPA-204 Rev C; Drawing no. WR13-PPA-206 Rev A; Drawing no. WR13-PPA-101 Rev C (date received 14-Mar-2014); Overlay Floor Plans; Overlay Elevations (date received 13-May-2014).  
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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).
- 2 This development must be begun within three years from the date of this permission.  
Reason:  
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.  
Reason:  
To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.
- 4 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

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 DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 5 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with Drawing No WR13-PPA-200 Rev C submitted with the planning application and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

- 6 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts must be submitted to and approval by the Local Planning Authority and the details approved shall be implemented and retained thereafter.

Reason:

In the interests of highway safety 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.

- 7 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason: 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.

- 8 No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety 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.

- 9 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 10 With the exception of areas marked as terraces on the approved plans listed in condition 1, the flat roof areas of the building hereby permitted shall only be used in connection with the repair and maintenance of the buildings and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 11 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building hereby permitted shall not be extended in any manner whatsoever.

Reason:

To ensure the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 12 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 13 Before the development hereby permitted is occupied, the outdoor amenity areas shall be implemented as indicated on plan WR13-PPA-201 Rev C and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 14 The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 15 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 16 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason:

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 17 No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

- 18 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 19 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 20 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely

damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 21 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 22 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason:

To protect the amenities of future and neighbouring residential occupiers in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 23 Before the development hereby permitted commences, details of the lightwells shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 24 Notwithstanding the approved plans, drawings at 1:20 scale showing details of the window reveal depths shall be submitted and approved in writing by the local planning authority prior to commencement of the development hereby approved (except site preparation/enabling works). The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason:

To ensure the highest standards of design in the interests of the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan

- 25 The parking spaces indicated on plan no. WR13-PPA-200 Rev C shall not be

used separately for any other purposes other than occupation by occupiers of the flats and shall not be rented or sold separately.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, future occupiers of the proposed units and in interest of highways safety in accordance with Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, policies DM04 and DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

**INFORMATIVE(S):**

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £38,850 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £149,850 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If affordable housing or charitable relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

- 3 In case if any modification is proposed or required to the existing access off the public highway, then it will be subject to a detailed investigation by the Crossover Team in Environment and Operations Directorate. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of any existing street furniture. This would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from DRS, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team/Tree Section as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, DRS, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

- 4 Any details submitted in respect of the Demolition Construction and Traffic Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

- 5 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.  
Reason:  
To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 6 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
- 7 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**The application was deferred at the last committee 09.04.14 to allow the applicant to submit a plan overlaying the existing and proposed footprints and for a Highways Officer to attend the meeting.**

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework (2012):

The determination of planning applications is made mindful of Central Government advice and the Development Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.



The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

#### The Mayor's London Plan: July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02, DM03, DM04, DM08, DM17.

#### Other Material Considerations:

Residential Design Guidance (April 2013)  
Sustainable Design and Construction (April 2013)  
Planning Obligations SPD (April 2013)

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Sustainable Design SPD provides detailed guidance and sets out how sustainable development will be delivered in Barnet. Section 2 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Chapter 15 of the Council's Guide 'Residential Design' seeks to revise and upgrade Design Guidance Note 7 which deals with Residential Conversions. This leaflet in

the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design conversions which would receive favourable consideration by the Local Planning Authority and sets out how the council considers applications for the conversion of single family homes into two or more self-contained units.

Included advice specifies that when conversions seek new exterior alterations, such as replacement windows, doors or porches, these should reflect the prevailing local character and enhance, not disrupt, the streetscape. Conversions in appropriate locations should not have any detrimental effect; they should not raise privacy issues, parking problems or have adverse effects on residential amenity. The council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

The Planning Obligations SPD sets the requirements for different scales of development and obtaining Planning Obligations for open spaces, transport, community facilities and environmental requirements. It has been adopted alongside the Barnet's CIL Charging Schedule in May 2013, which replaces the previous obligations towards Education, Libraries and Health, and is a flat rate charge for all development as specified in the CIL Charging Schedule.

#### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	F/00061/10/ENQ
<b>Validated:</b>	20/05/2010	<b>Type:</b>	ENQ
<b>Status:</b>	REG	<b>Date:</b>	
<b>Summary:</b>	DEL	<b>Case Officer:</b>	David Campbell
<b>Description:</b>	Demolition of existing building and erection of 9 flats.		

<b>Application:</b>	Planning	<b>Number:</b>	F/02849/13
<b>Validated:</b>	08/07/2013	<b>Type:</b>	APF
<b>Status:</b>	WDN	<b>Date:</b>	02/09/2013
<b>Summary:</b>	WIT	<b>Case Officer:</b>	Tassama Amlak
<b>Description:</b>	Demolition of existing buildings and erection of 1no. 4 storey building plus basement and including rooms in roof space, to accommodate 9No. self contained flats and a11no. parking spaces, cycle storage, waste and recycling storage facilities and associated landscaping.		

<b>Application:</b>	Planning	<b>Number:</b>	F/06062/13
<b>Validated:</b>	20/12/2013	<b>Type:</b>	APF
<b>Status:</b>	REG	<b>Date:</b>	
<b>Summary:</b>	DEL	<b>Case Officer:</b>	Denisse Celi
<b>Description:</b>	Demolition of existing pair of semi-detached houses and erection of 1No. 4 storey building plus double storey basement and including rooms in roof space, to accommodate no.9 self contained flats and no.17 underground parking spaces, storage, waste storage facilities and associated landscaping (Amended Description).		

#### Consultations and Views Expressed:

Neighbours Consulted: 85      Replies: 6  
Neighbours Wishing To Speak 0

The objections received prior to receipt of amendments and re-consultation, may be summarised as follows:

- Too dense
- Excessive on site-parking accessed from a small busy road.
- Building completely different to that on street.
- Out of character.
- Flooding
- Loss of family units
- Additional traffic congestion despite the underground parking
- Building will be taller
- Loss of light
- Additional residents, additional noise.
- Different age groups attracted results in loss of family orientated nature of locality
- Modern building not in keeping with character of area
- Obstruct views & light to adjacent to neighbouring properties
- Additional occupiers resulting in additional noise.
- Revised scheme is twice the size of surrounding houses
- Multiple skylights are hideous
- Poor access to underground parking from Armitage Road, creating significant traffic problems
- Poorly designed, ugly, unsightly

Since the meeting on the 9th April 2014 the following additional objections have been received based on the amended scheme and can be summarised as follows:

- Increase pressure on parking
- Concern parking spaces will be rented out.
- Instability of double basement
- Only area in Golders Green with this historic style in a complete section-proposal demolishes key historic buildings
- Area is first view from main shopping road and unique in its style and grandeur.
- Destroy first visual of residential, changing the character of the area.
- Eyesore due to differing materials
- Overlooking & loss of privacy
- Noise & disturbance

#### Internal /Other Consultations:

Highways- raised initial concerns with insufficient parking spaces for the size of the proposed development, the access from the car lift, inadequate turning spaces in the underground parking. The highways officer recommended that a development of this size and in this location should benefit from a range of between 10.5 to 16 parking spaces to meet the parking standards set out in Policy DM17. The amendments are considered to have addressed the concerns from Highways. In principle, the

Highways support the application and have recommended several conditions and highways informatives which are attached to this report.

Date of Site Notice: 23 January 2014

## **2. PLANNING APPRAISAL**

### **Site Description and Surroundings:**

The application site is comprised of a pair of two storey semi-detached properties located on the corner of Woodstock Road, at the junction with Armitage Road, within the Golders Green Ward. The properties are not listed nor do they lie within a Conservation Area.

Development along this section of Woodstock Road is mixed in nature. It consists of single family dwellings, blocks of purpose-built flats and converted flats of varying designs and between two and three storey in height.

The site is located close to the Golders Green Town Centre and has been rating as having very good accessibility with a PTAL rating of 6a.

### **Proposal:**

The applicant seeks planning permission for the following development:

- Demolition of existing semi-detached houses consisting of a single family unit (no.49) and a converted property accommodating 3no self-contained flats (no.47)
- Erection of four storey building and associated a double storey basement including 17 underground parking spaces and storage at basement level 2.
- Provision of 9no. self-contained flats and mixed private and communal amenity space.
- Associated landscaping

The proposed flats will consist of 4no duplex flats at basement level 1 and ground floor (2no. x 3 bed flats and 2no. x 4 bed flats); 2no flats at first floor (2no. x 3 bed flats); 2no flats at second floor (2no. x 3 bed flats); 1no flat at third floor (1 bed flat).

The current proposal follows the withdrawal of the previous planning application (reference F/02849/13) for a development to accommodate a similar number of units on the site, and extensive negotiations with the Planning Department to address several issues with design, massing and scale.

### **Planning Considerations:**

The main issues in this case are considered to be covered by the following main areas:

- Whether the principle of residential units including the density of the development is appropriate for the area;
- Whether the proposal will provide suitable accommodation for future occupiers;

- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

**Principle of self contained units**

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, particularly in Town Centre locations and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Policy CS5 states that the Council ‘will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design’. Policy DM01 requires that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Furthermore, the Residential Design Guidance SPD advises that the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas. The assessment of these is considered at below.

Development Plan Policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups. The council’s Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough.

The principle of demolition is considered acceptable. The properties are not within a conservation area and are not of particular architectural merit to warrant its retention.

Furthermore, there are other examples of purpose built block of flats in the vicinity and therefore the principle of flatted development would not be out of character with the locale.

### **Density**

London Plan policy 3.4 seeks to optimise the housing potential of sites with reference to the density matrix contained in Table 3.2 which provides a guide to appropriate density ranges for particular locations, depending on accessibility and character. The application site has excellent accessibility and benefits from the highest PTAL of 6a. It is considered to fall within an urban setting as defined in the London Plan.

The London Plan Density Matrix therefore suggests a range of 45 to 185 units per hectare and 200 to 700 habitable rooms per hectare. The site is approximately 0.0932 hectares in size, proposes 9 flats with a total of 57 habitable rooms. The proposal for 9 flats would equate to a density of 97 units per hectare (612 habitable room per ha).

All matters considered, the density of the development is considered to be appropriate for the area and therefore the Council has no objection on this matter.

### **Standard of accommodation provided and amenities of future occupiers of the proposed units**

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council's adopted supplementary planning documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, and the Mayor's Housing Supplementary Planning Guidance, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers.

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. All the proposed units comply with or exceed these

minimum standards as indicated in the table below:

	<i>Size of Unit</i>	<i>Floorspace provided</i>	<i>Minimum space standard</i>
Flat 1	4 bed 8 occupiers	196 m <sup>2</sup>	119 m <sup>2</sup>
Flat 2	4 bed 8 occupiers	184.9 m <sup>2</sup>	119 m <sup>2</sup>
Flat 3	3 bed 6 occupiers	159.1 m <sup>2</sup>	95 m <sup>2</sup>
Flat 4	3 bed 6 occupiers	168.9 m <sup>2</sup>	95 m <sup>2</sup>
Flat 5	3 bed 5 occupiers	119.6 m <sup>2</sup>	86 m <sup>2</sup>
Flat 6	3 bed 6 occupiers	112.2 m <sup>2</sup>	95 m <sup>2</sup>
Flat 7	3 bed 5 occupiers	110 m <sup>2</sup>	86 m <sup>2</sup>
Flat 8	3 bed 5 occupiers	105.5 m <sup>2</sup>	86 m <sup>2</sup>
Flat 9	1 bed 2 occupiers	64.9 m <sup>2</sup>	50 m <sup>2</sup>

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed is considered to maximize the outlook of occupiers, and the amendments to the scheme have ensured that the quality of the outlook for future occupiers, particular to the habitable rooms located on the basement level, is acceptable.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units; an appropriate condition has been attached to the recommendation.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m<sup>2</sup> per habitable room (definition of a habitable room is set out in the glossary including the maximum size considered before a room is counted as two (20 sqm). The applicant has provided private gardens for Flat1 and Flat 2 which meet the outdoor amenity space standard. In addition, a communal garden of 159 sqm at basement level and 159sqm at ground floor is provided. This exceeds the required amenity space for the 7 flats (excluding flats 1 and 2 which benefit from private outdoor amenity space) of 195 sqm and is therefore acceptable.

Refuse bins are located to the rear of the site and accessed from Armitage Road.

With regards to the provision of parking, the amended scheme provides 17 parking spaces including 4 disabled parking spaces, which are accessed by a car lift off Armitage Road. In addition, the scheme incorporates storage spaces at basement level 2.

The application, if approved by the Committee, will be subject to a Section 278 Agreement with regard to the relocation of the business parking bays. In addition, the Planning Department considers that the provision of 1 car lift is acceptable and the condition relating to the maintenance is intended to address concerns raised with regards to highways safety.

For the reasons specified above, the proposal is not considered to provide substandard accommodation to future occupiers and is therefore acceptable.

**Design and character matters:**

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Development should seek to make the most effective and efficient use of land. A design-led approach should be taken to defining appropriate plot ratios and residential densities, having regard to the suburban setting, good public transport accessibility, building heights. Massing (bulk of buildings) should be reflective of the suburban setting and role of the town centre; any element that results in over-dominance (visual) should be avoided.

The buildings and spaces proposed in the application respond positively to the context of the site and are found to have an acceptable relationship with the neighbouring buildings, streets and spaces. This is achieved in a number of ways.

The proposed design and bulk of the proposed building has been amended to respect the pattern of buildings in this section of the road. In addition, the scale of the building would also be in keeping with adjacent buildings. The building has been designed and amended to reflect the architectural style of similar properties, in particular the semi-detached properties located to the north west (no.45 and 43). The ridge height, bulk and style of roof and front gables are reflective of the immediately



adjoining properties and therefore are not considered to be over dominant in the corner location. At the rear elevation, the design incorporates gable projections that area characteristic to the properties of the same period.

An additional storey has been created by lowering the ground floor level, although the height of the proposed building would not exceed that of the immediately adjacent development and there would be adequate space between both the proposed development and existing surrounding properties to ensure that it is not overly dominant.

The side elevation fronting Armitage Road has been significantly reduced in depth in order to reduce the visual impact on the streetscene. The projection along Armitage Road is reflective of the massing of the other properties in the immediate vicinity and the building is not considered to be overly dominant on this streetscene.

In summary, officers consider that the size, scale, siting and design of the building proposed are such that they would adequately respect the character of the surrounding area. The overall design quality of the development responds to the site context. Subject to the conditions recommended, the proposal is found to be acceptable and compliant with Development Plan Policies as they relate to design and character matters. The proposal is therefore considered to comply with the relevant design policies set out above.

#### **Living conditions of neighbouring occupiers and impact on character**

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Policies DM01 and DM02, seeks to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity.

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments. The development exceeds these requirements and therefore the development would not result in overlooking to adjacent properties or loss of light.

The ground floor will not project more than 3.5 metres from the rear elevation of no.45 and is therefore not considered to cause greater harm than if the existing dwelling were retained and an extension of 3.5 metres, which complies with the Council's guidance, was erected. Similarly, at first floor level, the projection closest to no. 45 will not project further than the existing rearward projection of no.45. Therefore, the rearward elements at the depth specified are not considered to be detrimental to the amenities of neighbouring occupiers and will not result in loss of light or perceived sense of enclosure in particular, to neighbouring occupiers.

It is noted that the intensification of the use will increase, however given the Town

Centre location, it is not considered that this is sufficient to warrant refusal of the application.

Following Highways consultation, the proposal (as amended) is considered to be acceptable and it is considered that there are adequate parking spaces for the size of the development.

### **Community Infrastructure Levy**

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1<sup>st</sup> of May 2013. The proposal is liable for the increase in floorspace which has an area of 1110 sqm. Therefore, should the application be approved at appeal, the Mayoral CIL required is **£38,850.00** and the Barnet CIL required is **£149,850.00**.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

It is considered that the comments raised by objectors have been addressed in the report above.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

Having taken all material considerations into account, the proposed development is considered to result in accommodation that exceeds the minimum space standards and therefore would be suitable for future occupiers. Furthermore, the massing, siting and design of the overall building would reflect the immediate adjacent properties and the general mixed tenure locale. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 47-49 Woodstock Road, London, NW11 8QD

**REFERENCE:** F/06062/13



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