

Location **122 Woodville Road Barnet EN5 5NS**

Reference: **16/4746/FUL**

Received: 18th July 2016

Accepted: 21st July 2016

Ward: High Barnet

Expiry 15th September 2016

Applicant: Mr Javad Aghababazadeh

Proposal: Demolition of existing bungalow and erection of 2no, two-storey semi detached houses with rooms in roof space. Provision for parking and refuse

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 916065E, 916065, PL01B, PL02B, PL03A, PL04A, PL05A, Site Location Plan and the Design and Access Statement.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 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 building hereby permitted is first occupied the proposed windows to the side elevations facing properties at nos. 120 and 124 Woodville Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 4 a) No development shall take place until a scheme of hard and soft landscaping to the site, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 5 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with a revised parking layout drawing to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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 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.

- 7 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04

and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to F of Part 1 of Schedule 2 of that Order shall be carried out within the area of the site hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 9 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 10 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 11 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

- 12 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 13 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 15 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 pm 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 Development Management Policies DPD (adopted September 2012).

- 16 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 If the development is carried out it will be necessary for a vehicular crossover(s) to be constructed over the footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 3 The applicant is advised that Highways Licensing Team must be contacted to apply for a temporary crossover license. An estimate for this license can be obtained from the Highways Licensing Team, London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 5 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The application property is a detached single family bungalow, on the eastern side of Woodville Road. The area in the vicinity of the application site is characterised predominately by two storeys semi-detached and link detached single family dwellings. Woodville Road sits on a slope and dips down towards the south.

The site is not subject to any specific planning restrictions.

2. Site History

Reference: B/04763/08

Address: 122 Woodville Road, Barnet, EN5 5NS

Decision: Refused

Decision Date: 9 February 2009

Description: Demolition of existing bungalow and construction of three, 3 bedroom houses and associated off street parking. (OUTLINE APPLICATION)

Reference: B/04723/08

Address: 122 Woodville Road, Barnet, EN5 5NS

Decision: Refused

Decision Date: 16 March 2009

Description: Demolition of existing bungalow and construction of a residential care home of approximately 500sqm, with 10 - 12 bedrooms arranged on three floors, with the top floor accommodated within the roof space. 3no. parking spaces on front driveway. (OUTLINE APPLICATION)

3. Proposal

The application seeks permission for the demolition of an existing bungalow and erection of 2no, two-storey semidetached houses with rooms in roof space, along with the provision for parking and refuse.

The proposal was amended, following pre application guidance and further discussions with planning officers during the assessment of the present case.

Each house would be of 7.5metres wide and 15metres long on the ground floor, and unit B would set back 1.3metres from no. 120 Woodville Road to the south and unit A would set back approximately 1metre from no. 124, which is on the northern side of the host site. The ground floor to both units would have a patio to the rear garden of 3metres depth and with width aligning with the proposed ground floor.

The first floor will align to the front and to the sides of the proposed ground floor to both houses but they will differ to the rear, setting back 5metres on house A, to the side boundary with no. 124 Woodville Road and 6.9metres on house B, to the side boundary with no. 120. There is 1no. bedroom to each house that set back 1.3metre from the rear wall on the ground floor, and which are located on the adjoining wall to both houses, being 8metres wide in total.

The roof to the ground floor would be flat with 3no. rooflights and the roof to the first floor would be pitched and of 2.4metres height on the front elevation of both houses A and B.

The roof plan would give place to 1no. bedroom to each unit and a storage to house A, and its overall height would be of approximately 9.8metres, considering the level on the southern boundary to no. 120 Woodville Road and 8.2metres to no. 124. Both houses would differ on the floor levels, adjusting to the natural features of the site, and unit A would be 60cm higher than unit B to all floors.

The proposal was also amended in order to fulfil Traffic & Development team requirements and plans now show 1no. garage to each house, with additional possibility for a second car to park in line to it, as well as the provision of bicycle racks for both houses A and B. There will also be provision of refuse storage to both units.

4. Public Consultation

Consultation letters were sent to 45 neighbouring properties.

9 responses have been received, comprising 6 letters of multiple objections, 1 letter of a single objection and 2 letters in support.

The issues raised in support to the proposal on the received letters can be summarised as follows:

- Improvement of general outlook and skyline, due to proposal matching in height with neighbouring properties;
- No loss of light or overlooking from windows in the front elevation, due to houses set back sitting;
- Proposal being blend very well with the rest of the houses in the road, making the general appearance of that part of the road more pleasing and more uniformed;
- Improvement on the value of the rest of the houses on the street;
- Appears sympathetic to the environment;
- Oak tree removal, due to shadowing, harmful visual impact and not keeping with the rest of the front gardens in the road.

The concerns referring to the proposal on the objection letters can be summarised as follows:

- Increasing of the current density in the area, constituting overdevelopment;
- Risk of flooding due to increasing of the current density;
- Increasing of car congestion and the lack of parking spaces;
- Overshadowing, overlooking and loss of privacy to neighbouring properties and gardens;
- Restriction of daylight and fresh air for neighbouring properties;
- Additional noise and pollution;
- Blocking of the view for neighbouring properties;
- Lack of local support for amenities such as schools and water;
- Over scale, height and size with impact to neighbours and the surrounding area;
- Out of keeping with the surrounding area.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local 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 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 states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan March 2015

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 and is recognised in the NPPF as part of the development plan.

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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9;
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are the:

- Principle of proposed development;
- Impact on the character and appearance of the surrounding area;
- Impact on the amenity of neighbouring residents;
- Provision of sufficient parking and the impact on highway safety;
- Impact on sustainability and green infrastructure.

5.3 Assessment of proposals

Principle of proposed development

NPPF sets out that 'local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community'. Barnet has accommodated the national guidelines by setting out in CS4 that to provide Quality Homes and Housing Choice in Barnet means to maximise housing choice providing a range of sizes and types of accommodation that can meet aspirations and increase access to affordable and decent new homes.

Further to this matter, DM8 states that 'development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough'. It states that 4 bedrooms homes are the highest priority for market housing, among the dwelling size priorities for the borough.

The application site currently features residential accommodation and, therefore the principle of residential accommodation on the site has been established. In addition to that, the proposal constitutes of 2x4bedrooms houses, replacing a single family bungalow and, therefore, contributing to housing provisions' priorities in Barnet.

Impact on the character and appearance of the surrounding area

The 2012 National Planning Policy Framework states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. In addition to the NPPF, Policy CS5 of the Core Strategy 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'.

In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'. Residential Design Guidance SPD also states that 'where uniform building heights form a distinctive character, major variations will not normally be appropriate, in particular in the middle of a row of buildings'.

Regarding this matter, the proposed buildings are considered to be a positive contribution to the local character by following the scale and height of the neighbouring properties and leading viewers to perceive the 'gap' in the street scene is filled and giving the skyline to this side of Woodville Road a sense of uniformity. The rearward projection of the proposed houses is regarded to be in keeping with the character of the neighbouring area, because they form similar massing to neighbouring properties, in comparison to the sitting of the existing bungalow.

It is noted that in the previous officer report for application reference: B/04723/08 makes reference to the relatively spacious character of this part of Woodville Road. However, these proposals related to a larger scheme for a care home which was at variance with the wider character of the area. The current proposals would not compromise this character.

The proposed houses being finished in bricks and tiled pitched roof is also considered to be in keeping with the character of the neighbourhood. There is a variety of finishing patterns to this part of Woodville Road but most of the houses are of brick and pebble dash rendered walls in their front elevations. Overall, the massing of the neighbouring properties in particular to the east side of Woodville Road where the host property is located are much larger than the existing bungalow, as perceived from the streetscene.

Impact on the amenity of neighbouring residents

The majority of the massing of the two houses is on the ground floor, which is set back from the neighbouring properties nos. 120 and 124 Woodville Road in 1.3metre and 1metre. To the front elevation, the walls to both proposed houses would align with the same neighbouring properties.

In reference to the rear wall of the neighbouring property at no. 124 Woodville Road, the proposals would project 4metres further. However, because this neighbouring site is 1.9metre higher than the host site, it is believed the impact to no. 124 amenities is significantly reduced. In respect to no. 120 Woodville Road, the proposed rear wall would set forward approximately 3metres if taken the neighbouring property's rear wall as a reference. Although at a lower ground level compared to the applicant property, the garden to no. 120 Woodville drops back to the rear, which makes the side boundary wall approximately 2.7metres high as seen from this property and therefore, also minimizing the impact of the proposed ground floor to no. 122.

With regards to what is being proposed to the first floor of both houses A and B, specific measures were taken so to avoid harmful impact on the neighbouring properties. The set back of approximately 7 metres to the rear of house B on the closest side to no. 120, sets both buildings close to alignment and reduces the impact on this neighbouring property. The side elevation to no. 124 Woodville Road would have only one window serving a non-habitable room and, therefore, keeping privacy to the neighbouring amenities. It is also considered that due to the setting back of the rear wall on the closest part to no. 124, the proposed first floor of house A would not significantly reduce the amount of light on this neighbouring property.

The roof design is set on similar features to the front of other properties on Woodville Road, particularly the neighbouring house at no. 120. Rear dormers are also common to that area and the size for both rear and side dormers are considered to be proportionate to the overall massing of the proposed houses. However, due to the existence of side windows to no. 124 and the difference in height between the two sites, it is believed that the windows facing north should be obscured in order to ensure neighbouring privacy.

Overall it is considered that the proposed buildings would not overlook or cause material loss of light, outlook or privacy, or loss of visual or residential to neighbouring occupiers.

Provision of parking and the impact on highway safety

In addition to CS4, policy CS3 refers to the distribution of growth in meeting housing aspirations within the borough. Saying so, the policy encourages higher density development, taking into account along with local context, design, transport accessibility and infrastructure. Referring to parking and highway safety, policy CS9 aims to ensure more efficient use of the local road network, in order to enable traffic to flow more smoothly by prioritising the reduction of congestion, and the implementation of parking management measures, among initiatives.

The Traffic and Development team have reviewed the application and confirmed the proposed 2 x 4 bed semi-detached houses should provide a maximum of 2 spaces for each property in accordance with the Barnet's maximum parking standards. The garage and the driveway would count as two spaces, and the plans provided were amended so to ensure the front part to the proposed TV rooms on the ground floor of both houses would have landscaping instead of a 3rd parking space. Therefore amended plans now meet policy requirements and are conditioned to further detailing. Cycle racks are also shown on plans to ground floor for both houses A and B and further detailing is conditioned to be submitted, ensuring provision of 2no. cycle parking spaces to each house and compliance with the London Plan.

Impact on sustainability and green infrastructure

As set out in Surface Water Management Plan 2011 established for Barnet, Brent and Harrow, 122 Woodville Road is part of a Critical Drainage Area. However, the site is not considered to be an area at risk of flooding and the environmental considerations for development as set out in Barnet' Development Management Policies DPD considers surface water flooding in Barnet as presenting a low to moderate risk.

The topography of the site makes it possible that although increasing the amount of impermeable area on the site, the developments proposed do not avoid water natural run. Groundwater flooding was also found to be a relatively low risk due to the impermeable geology (primarily London Clay) and depth of the groundwater table. The proposal should be conditioned to the submission of landscape layout of the site, showing Sustainable Urban Drainage techniques as set out on Sustainable Design and Construction SPD should be used where possible to reduce flood risk.

5.4 Response to Public Consultation

All the relevant concerns were considered to assess the current application.

Issues concerning the removal of the oak tree existing in the site were raised. There were concerns that the removal of the tree being related to the subsidence of properties on no. 126, as expressed by the residents. It is understood properties are being monitored due to risk of subsidence.

The oak tree, since it was not present on site at the time the application was registered and no Tree Preservation Orders relate to the application site.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site. The development is not considered to have an adverse impact on the amenities of

neighbouring occupiers. The proposals would also contribute to housing within Barnet Borough. This application is therefore recommended for APPROVAL.

Site Location Plan

