

Location **39 Woodstock Road London NW11 8ES**

Reference: **16/6250/FUL** Received: 26th September 2016
Accepted: 30th September 2016

Ward: Childs Hill Expiry 25th November 2016

Applicant: Mr CHARLES LOSSOS

Proposal: Conversion of single family dwelling into 4no self-contained flats.
Associated landscaping and provision of 1no parking space, cycle storage and refuse and recycling store

Recommendation: Approve subject to conditions

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

Location Plan

WR15-101PP (Existing Plans)

WR15-102PP (Proposed Plans)

WR15-103PP (Proposed Elevations)

WR15-201PP (Proposed Plans)

WR15-202PP (Proposed Plans)

WR15-203PP (Proposed Elevations)

WR15-204PP Rev.B (Proposed Section & General Site Arrangement)

Proposed parking spaces (received 17.01.17)

Parking Survey Report (dated January 2017)

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 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 4 Before development hereby permitted is occupied, parking spaces and the access to the parking space from public highway shall be provided. Thereafter, the parking space 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.

- 5 The development hereby approved shall not be occupied until a means of access for vehicles has been constructed in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway and pedestrian 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.

- 6 Prior to occupation 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 Before the permitted development is occupied the refuse collection arrangements shall be in place in accordance with the approved planning application.

Reason: In the interest 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.

- 8 Prior to the first 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 Policies DM02 and DM04 of the Development Management

Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 9 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.

- 10 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).

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. 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 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.

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 £0 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 £0 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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.

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 CIL 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 at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 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.

- 4 In case if a new crossover access is required or 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 Development Regulatory Services. 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

The applicant is advised that any consequential damage to public highway as a result of the construction of the new proposed development will be reinstated under S130 of the Highways Act at the applicant's expense. The applicant is advised to

carryout photographic survey of the public highway before commencing any development work in the vicinity of the development.

Officer's Assessment

1. Site Description

The application relates to a two-storey, semi-detached dwellinghouse, located on the south-western side of Woodstock Road, within the ward of Childs Hill.

The site is located within a residential area of predominately semi-detached properties, consisting of a variety of single family dwellings, purpose built flats, and flat conversions. The site is not located within a conservation area.

2. Site History

Reference: 16/1416/HSE
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Approved subject to conditions
Decision Date: 24 May 2016
Description: First floor rear extension

Reference: 15/01882/191
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Lawful
Decision Date: 27 March 2015
Description: Use as 1 no. single family dwelling house

Reference: 15/06220/PNH
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Prior Approval Required and Refused
Decision Date: 18 November 2015
Description: Single storey rear extension with a proposed maximum depth of 6 metres measured from the original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 15/06526/192
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Lawful
Decision Date: 19 November 2015
Description: Roof extension involving rear dormer windows and hip to gable

Reference: 15/07744/PNH
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Prior Approval Not Required
Decision Date: 19 January 2016
Description: Single storey rear extension with a proposed maximum depth of 5.67 metre from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: C16407B/06
Address: 39 Woodstock Road, London, NW11 8ES
Decision: Approved subject to conditions
Decision Date: 4 May 2006
Description: Enlargement of existing two rear dormer windows.

Reference: C16407A/05

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Refused

Decision Date: 20 January 2006

Description: New vehicular access and hardstanding. New dormer window to front elevation. Enlargement of existing two rear dormer windows.

Reference: C16407/05

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Lawful

Decision Date: 25 November 2005

Description: Retention of property as 2 self-contained flats.

3. Proposal

The application seeks consent to convert the existing family dwelling into 4no. self-contained flats with the associated provision of 1no. off-street parking, landscaping, cycle storage, refuse and recycling store.

Amendments have been received to illustrate the proposed sub-division of private amenity space and the re-arrangement of the proposed off-street parking space at the front of the property.

4. Public Consultation

Consultation letters were sent to 80 neighbouring properties.
9 responses have been received, comprising 9 letters of objection.

The objections received can be summarised as follows:

- Loss of family dwelling;
- Overprovision of flats in this area;
- Overdevelopment;
- Impact on character;
- Overcrowding
- Alter the conservation area;
- Works have already been carried out.
- Overlooking
- Lack of parking provision
- Lack of public infrastructure to support further development
- Increased pressure on water provision
- Noise and disturbance caused by construction works
- Hours of operation for construction works

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 Government's 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 2016

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 2050. 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, CS5, CS9.
- Relevant Development Management Policies: DM01, DM02, DM08, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Barnet's approach to conversions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of both new and existing units enjoy a high standard of amenity. Whether or not a conversion is acceptable in principle will depend on the character of both the house and the street.
- The conversion of existing dwellings into flats can have a cumulative impact on environmental quality and the character of established residential areas. Conversions may be appropriate in certain types of property or street particularly where they are highly accessible. However, even in such locations they can harm the character of areas by changing external appearance and increasing activity. Such activity can often involve more people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries.

- Conversions generate extra movement of people and vehicles and the alterations required to accommodate such a use can impact upon the character and appearance of a locality. Conversion proposals are therefore likely to be resisted in areas of low density housing where predominantly there are single family occupation houses and where the external alterations would impact on the appearance of the local area (e.g. hardstanding for a parking space and refuse storage areas).

Sustainable Design and Construction SPD (adopted October 2016)

- 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:

- Principle of development for the conversion of flats;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether acceptable provision of accommodation is provided for future occupiers; and
- Highways safety and parking provision.

5.3 Assessment of proposals

Principle of development

In assessing whether flats are appropriate in this location, policy DM01 of Barnet's Development Management Policies states that consideration should be given to the character of the road and where proposals involve the loss of houses in roads characterised by houses, this will not normally be appropriate.

From conducting a site visit and reviewing the planning history and council tax records, it is evident that along Woodstock Road, there are a large number of flatted properties. While the proposal would result in the loss of a single family dwelling, the presence of a large number of existing flats within the street would mean that the proposal is unlikely to have a significant impact in terms of the character of the street. It is also worth noting that the property previously consisted of 2no flats before it was converted back into a single family dwelling. The principle of development for the conversion of dwelling into flats is considered to be appropriate subject to all other relevant matters being successfully addressed.

Impact on character and appearance of existing property and surrounding area

In addition, Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The application is only seeking consent for the conversion of the property and there are no external alterations proposed. A number of objections submitted have raised that there are works already being carried out on site. However, the property does benefit from a number of approved consents and prior notifications for ground, first and roof extensions. The works being carried out on site are related to these applications. This application is only

seeking consent for the conversion of the property, there are no new extensions being proposed.

To the front of the property, it is proposed to provide an off-street parking space which is a common feature of many of the many properties within this street. Therefore with no external changes proposed, the proposal is not considered to result in harm to the character and appearance of the existing building, the street scene or the surrounding area.

Impact on amenity of neighbouring residential occupiers

With regard to the impact of the proposed development on the living conditions of neighbouring residents, it is noted again that there are no external changes to the existing building and the proposed extensions and window arrangements have already been approved and are not subject to consideration within this application. As such the proposal is not considered to result in detrimental harm in terms of overlooking of neighbouring occupiers.

The main potential impact is whether the intensification of the site for the use of 4no flats would cause undue noise and disturbance issues to neighbouring residents. It is noted that the adjoining no.41 is a flatted properties with 3 units, while no.37 on the opposite side is a single family dwelling. There are a number of other flatted properties within the street consisting of 3 units per building and there are also a number of larger purpose built flatted developments within the street which are considered to be of a greater intensification than the proposed development. While the proposal seeks 4no units within the property, officers consider that the proposal is still consistent with the intensity of residential flats currently established on the street. In addition there will not be a further intensification of off-street car parking. In light of the above, officers consider that the proposed development would not result in harm to the living conditions or amenities of neighbouring residents.

Whether the building would provide suitable living conditions for future occupants

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. The proposal would provide:

Ground Floor - 1 x 2 bedroom unit (105 sq.m)

First Floor - 1 x 2 bedroom unit (84.90 sq.m)

Second Floor - 1 x 1 bedroom unit (50 sq.m)

Third Floor - 1 x 1 bedroom unit (39.4 sq.m)

The proposed units would exceed the minimum space standards as contained within the London Plan. Each of the units would be dual aspect with the exception of the studio unit on the third floor. However, given the size of the unit, officers are satisfied that it will still be able to receive an adequate level of outlook and daylight/sunlight levels, as will the other units.

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m² should be provide per habitable room for flats. There is a large garden area to the rear of the property which is proposed to be subdivided in order to provide each flat with a private amenity area. Each of the areas proposed would

exceed the above requirements and would be separated with a 1.8 - 2.0m timber fence to provide privacy to each garden.

Highways safety and parking provision

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for the residential use:

For 1 bedroom units	0.0 to 1.p space per unit
For 2 and 3 bedroom units	1.5 to 1.0 spaces per unit

Based on the above parking standards the parking requirement for the proposed development is calculated as follows:

2x1b	a range of 0.0 to 1.5	0.00 to 2.0 spaces required
2x2b	a range of 1.0 to 1.5	2.0 to 3.0 spaces required

This equates to a range of parking provision of between 2 to 5 parking spaces to meet the requirements of Policy DM17. The site has a PTAL rating of 6a which is considered to be a very good level of accessibility and so it would be expected that provision towards the lower end of the range. As the proposal seeks to provide 1 parking space, overall, there would be a shortfall of 1 parking space.

At present the existing 4+ bedroom house has no parking provision and the proposal is to convert the building to facilitate 2x1 bedroom units and 2x2 bedrooms units with one off-street parking space.

The applicant has submitted a parking beat survey which indicate a parking stress of 80% on roads in the vicinity of the development. The Council's Traffic and Development service has assessed the proposal and submitted survey and have commented that "considering that the existing 4+ bedroom residential dwelling which does not have any parking provision currently, would have required parking provision of 2 parking spaces and the parking requirement for the proposed development is assessed as parking of 2 parking spaces, on balance the development proposal with a provision of 1 parking space would be acceptable on highways grounds. The provision of 1 additional space is considered to be an improvement on the existing site conditions. The proposed parking space would have a depth of 4.8m measured to the edge of the pavement and therefore is considered an acceptable parking space.

5.4 Response to Public Consultation

The issues regarding the principle of flats, impact on character and residential amenity have been addressed in the sections above.

The provision of public infrastructure is addressed through the Community Infrastructure Levy (CIL).

Officers can control the hours of construction works through the attachment of conditions, however site issues such as noise, dust etc. is dealt through the Environmental Health Legislation.

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 not have an unacceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

