

**Location**                      **66 Woodside Park Road London N12 8RY**

**Reference:**                      **18/3499/FUL**

Received: 6th June 2018

Accepted: 8th June 2018

Ward:                              Totteridge

Expiry 3rd August 2018

Applicant:                      Cloudysky Investing Ltd

Proposal:                      Demolition of existing building and erection of a three storey building plus basement level to provide 9no self-contained flats. Provision of 4 car parking spaces, refuse and recycling, cycle store and amenity space

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

- Location Plan (P010 Rev. A)
- Demolition Basement Plan (D090)
- Demolition Ground Floor Plan (D100)
- Demolition First Floor Plan (D110)
- Demolition Second Floor Plan (D120)
- Demolition Roof Plan (D130)
- Demolition East Elevation (D300)
- Demolition South Elevation (D301)
- Demolition North Elevation (D302)
- Demolition West Elevation (D303)
- Existing Site Plan (X010)
- Existing Basement Plan (X090)
- Existing Ground Floor Plan (X100)
- Existing First Floor Plan (X110)
- Existing Second Floor Plan (X120)
- Existing Roof Plan (X130)
- Existing East Elevation (X300)
- Existing South Elevation (X301)
- Existing North Elevation (X302)
- Existing West Elevation (D303)
- Proposed Ground Floor Plan (P100 Rev. B)
- Proposed First Floor Plan (P110 Rev. B)

- Proposed Second Floor Plan (P120 Rev. B)
- Proposed Roof Plan (P130 Rev. A)
- Proposed Section A-A (P200 Rev. A)
- Proposed Section B-B (P201 Rev. A)
- Proposed East Elevation (P300 Rev. A)
- Proposed South Elevation (P301 Rev. A)
- Proposed North Elevation (P302 Rev. A)
- Proposed West Elevation (P303 Rev. A)
- Proposed East Street Elevation (P304 Rev. A)
- Proposed South Street Elevation (P305 Rev. A)
- Comparative Street Elevation (P320 Rev. A)
- Comparative Street Elevation (P321 Rev. A)
  
- Arboricultural Impact Assessment (Landmark Trees - Ref: KSR/66WDP/AIA/01a - 17th April 2018)
- 66 Woodside Park - Parking Survey (Caneparo Associates - 2nd October 2018)

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) 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 2016.

- 4 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 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 2016.

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

- 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 October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 6 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).

- 7
- a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
  - 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 October 2016) and 7.21 of the London Plan 2016.

- 8
- a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.
  - b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 9
- 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).

- 10 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. P100 Rev. B shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 11 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

- 12 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).

- 13 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such 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 Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 14 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 6.00 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).

- 15 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.

- 16 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.

- 17 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 10% 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.

- 18 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.

- 19 The level of noise emitted from the all machinery and plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 20 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

#### **Informative(s):**

- 1 In accordance with paragraphs 38-57 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 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.

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.

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](mailto: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](http://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](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](http://legislation.gov.uk)

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

- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://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.
- 4 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).
- 5 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 6 The submitted Construction Method Statement shall include as a minimum details of:
  - Site hoarding
  - Wheel washing
  - Dust suppression methods and kit to be used
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
  - Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.

- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- Confirmation that an asbestos survey has been carried out.

7 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;

- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 9     Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail [highways.development@barnet.gov.uk](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto:nrswa@barnet.gov.uk) at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 10    If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

## **Officer's Assessment**

### **1. Site Description**

The application site is a two-storey (plus habitable rooms at roof and basement level) detached late Victorian house located on the northern side of Woodside Park Road at the junction with Woodside Avenue. The property is sub-divided into 3.no self-contained flats. The application site has a prominent gable-ended pitched roof form, with a two-storey bay window feature to the front elevation. The site also has a prominent single-storey integral garage with a steep pitched roof. The rear of the property has a somewhat confused form, incorporating a mixture of different roof pitches, angles and window siting. There is an external metal staircase serving the application site located between the application site and adjacent property on Woodside Park Road. Given the site's corner plot location, the building and rear garden are visually prominent within the streetscene. The surrounding area is characterised predominantly by residential dwellings and flats. On the south side of Woodside Park Road, there are a number of purpose-built apartment blocks of three to five storeys, with adjacent properties on the north of Woodside Park Road and along Woodside Avenue constituting more two to three storeys in scale. As a result, there is a mixture of different architectural forms and styles.

The site is not located within a conservation area and is neither a statutory or locally listed building. The site has a TPO tree registered on the site, but upon a site visit the tree appears to have been removed some time ago. The application site is in Flood Zone 1.

### **2. Site History**

n/a

### **3. Proposal**

- Demolition of existing two-storey (plus habitable rooms at roof and basement level) building;
- Construction of a new 3.no storey building (plus habitable rooms at basement level) to accommodate 9.no self-contained flats;
- 4.no on-site parking spaces;
- Private and communal amenity space via balconies and a rear garden;
- 16 onsite cycle parking spaces;
- Onsite refuse storage.

### **4. Public Consultation**

Consultation letters were sent to 207 neighbouring properties. 7 public responses were received comprising 7 letters of objection. These can be summarised as follows:

- Insufficient onsite parking will result in traffic congestion.
- Junction adjacent to the site is bad for traffic accidents. This Planning and Highways department should take a careful look at this and consider how the proposed development will impact road safety.
- Balconies will result in a loss of privacy for neighbouring residents. There should be a distance of 21m between facing windows.
- The scale and massing of the proposed development is disproportionate to the original Victorian residential property and out of keeping with the surrounding buildings. It also does not align with the established building line.

- Reasonable construction hours should be adhered too.
- The building projects too deep into the site with a consequential reduction in garden space.
- The height and depth of the proposed building will detrimentally impact the visual amenity of the neighbouring garden as a result of overshadowing. The neighbouring rear garden will also be overlooking from the proposed balconies.
- Loss of outlook and light to neighbouring units.
- Loss of another period home.
- Loss of trees impacts character of the area.
- Form of overdevelopment.
- Public services and schools are already over-burdened and over-subscribed in the area. GPs appointments and school places are becoming increasingly hard to attain.
- The character of the road is being irreversibly changed with fewer and fewer houses and increasingly larger blocks of flats on the road.
- With increasing crime in the area, a more transitional population could lead to further increases in crime.
- Basement level construction is of concern to us as there are few cases for basement construction for blocks in this area.

Statutory Consultees:

Highways: Approve subject to conditions

Environmental Health: Approve subject to conditions

Arboriculturalist: Approve subject to conditions

Fire Service: No objection

Thames Water: No objection

## **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 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.

#### The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

#### 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, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

#### Supplementary Planning Documents

Residential Design Guidance SPD (October 2016)

Sustainable Design and Construction SPD (October 2016)

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways;
- Provision of refuse storage

### **5.3 Assessment of proposals**

#### **Principle of development**

As outlined in the site description section above, the predominant character of Woodside Park Road is residential, with a range of single-family dwellings, purpose-built flats and lodges. The application site is a two-storey (plus habitable rooms at basement and loft level) residential property containing three self-contained flats. The proposed development comprises nine self-contained flats and therefore is considered acceptable in-principle and in keeping with the residential character and use along the street.

The application site is neither a statutory or locally listed building and therefore benefits from no planning protection. Therefore, its demolition and subsequent redevelopment for flats is considered acceptable in-principle.

#### **Character and appearance**

All new development is expected to preserve and respect the established character and appearance of the surrounding area. Policy DM01 states that:

b. 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.

The proposed development comprises of a three-storey (plus habitable rooms at basement level) residential building accommodating nine self-contained flats. It has been designed with a contemporary aesthetic, but one which draws upon the more traditional pitched front gable roof form of the adjacent building at no.68. This consequently provides a degree of visual and architectural relevance when viewed within the wider streetscene of Woodside Park Road. There are a number of examples surrounding the application site where purpose-built flatted development has moved away from the traditional pitched roof form that is characteristic of Woodside Park Road, but the proposed development has been designed to better respond to this predominant visual aesthetic. The building wraps around onto Woodside Avenue where the main residential entrance is proposed, with the gable roof form evident on the Woodside Park Road elevation also replicated on this elevation too. This visual consistency is to ensure the building as a corner plot more effectively relates to both Woodside Park Road and Woodside Avenue and creates a greater sense of visual engagement and street activity. This is compliant with Policy DM01 which states:

Development proposals should ensure attractive, safe and, where appropriate, vibrant streets which provide visual interest, particularly at street level and avoid blank walls.

The scale and massing of the building is an increase from the existing building, but these increases have been designed and subsequently revised, to ensure the increase is proportionate and has an acceptable visual impact when viewed within the streetscene. Indeed, the proposed ridge height is only 1m above the existing ridge height and the width of the front elevation is only 0.8m wider than the existing. It is acknowledged that the proposed development does contain greater massing than the existing building, but a large portion of this is set-back from the Woodside Park Road elevation to maintain a more slender twin gable form when viewed from the Woodside Park Road. This scale and form is comparable to the adjacent building at no.68. It should be noted that since this application was formally submitted, the building line along Woodside Avenue has been set-back by 1.5m to reduce the width of the front gables when viewed from Woodside Park Road, and to decrease the visual bulk along Woodside Avenue. This also serves to lessen the visual prominence of the building which resides on a corner plot and allows it to better visually relate with no.68 and its surrounding streetscene. Therefore, the proposed development is considered to have a measured increase in visual bulk and scale that is not deemed to appear overly dominant, or overbearing when viewed within the streetscene and in relation to no.68. It is also worth noting that directly opposite the application site is St Johnstone House and Greville Lodge that are both built to four-storey level. Therefore, while it is considered that the proposed scale is acceptable on its own merits, it is acknowledged that it is located within a section of Woodside Park Road where there are four and five storey buildings present. Consequently, the proposed development is considered proportionate and in keeping with the visual character of this section of Woodside Park Road and Woodside Avenue.

The proposed facing materials, including brick and clay shingles, have been chosen to provide a high-quality finish that respects the brick cladding that is characteristic within building designs along Woodside Park Road and Woodside Avenue, whilst providing a more contemporary brick and shingle patterning and texturing to provide visual interest. More contemporary designed dormers, balconies and window detailing have been sensitively applied to provide a contrast to the more traditional brick and clay shingle

cladding. It is considered that the visual appearance of the proposed development would have a positive impact on the mixed character of Woodside Park Road and Woodside Avenue, providing a well-considered and designed building which both maximises the development of the site, whilst providing a scale, massing and form which respects the adjacent streetscene. Indeed, this section of Woodside Park Road contains a range of architectural forms and facing materials including a yellow and red banded brick-clad building at Emerald Court, a mansard style roof form at St Johnstone House and flat roofed, light yellow and grey brick-clad buildings at Greville Lodge and Ashborne Court. Within this context, it is considered that the proposed design is acceptable.

The proposed development extends beyond the adjacent property at no.68 by 8m, but at a set-back from the site boundary at its deepest extent of 5.5m at ground floor level and 6.5m at first and second floor. There would be a set-back of 8.9m from the nearest habitable window at no.68. This provides an unhindered 45-degree range of outlook for occupiers of the neighbouring property at no.68. These set-backs are the result of design revisions made following the formal submission of this application which are now considered appropriate in view of their visual impact on no.68.

The proposed development will result in the loss of trees to the front of the site facing onto Woodside Park Road. However, a landscaping plan will be secured via condition to provide appropriate mitigation. It is worth noting that the trees that are proposed to be removed are not protected by a Tree Preservation Order (TPO).

Based on the above, it is considered that the proposed development would have an acceptable impact on the character and appearance of both Woodside Park Road and Woodside Avenue. Indeed, it is deemed that the increase in building scale, massing and footprint is measured and respects the adjacent building forms and lines. The proposed building form and facing materials are considered appropriate and reflect the pitched roof form and brick and clay cladding characteristic along Woodside Park Road and Woodside Avenue. Given the mixed character and varied building forms, scale and massing surrounding the application site, it is considered that the proposed development would have an acceptable and positive visual impact within the streetscene. Consequently, it is considered that the proposed development complies with Policy DM01 and is therefore recommended for approval on character and appearance grounds.

## **Neighbouring Amenity**

Paragraph 2.7.1 of Policy DM01 states that:

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

It is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers by way of outlook, daylight / sunlight provision, privacy and enclosure. Regarding no.64 Woodside Park Road located on the opposite side of Woodside Avenue from the application site, there is a distance of 22.2m between facing windows. This would comply with paragraph 7.3 of the Residential Design Guidance SPD (2016) which states that:



In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking.

As outlined above, the proposed development was amended post formal submission, to set the building back by 1.5m from Woodside Avenue. This was done for both character and amenity purposes, with the amenity consideration being the necessity to provide a 21m set-back for facing windows between the application site and no.64 Woodside Park Road.

Regarding the adjacent property at no.68, the proposed scheme has also been revised post formal submission to increase the set-back between the proposed flank wall and the site boundary with no.68. There is now a 5.5m set-back from the site boundary at ground floor level and a 6.4m set-back at first and second-floor levels at the furthest extent of the building's northern projection. This ensures that there is a minimum 45-degrees of unhindered outlook for the closest rear windows serving habitable rooms at no.68. This is considered acceptable in relation to neighbouring occupier outlook and daylight provision.

The proposed northern projection is likely to result in some overshadowing to the rear garden of no.68, but not to level which is considered unacceptable. Indeed, it is considered that the stated set-backs are reasonable and would have an acceptable impact on the rear garden of no.68 by way of overbearing and overshadowing. Any overshadowing would be limited to the morning given the rear gardens north-facing orientation.

Regarding privacy, no flank wall windows facing no.68 have been located above ground floor level and the one included at ground floor level will be obscured glazed. Furthermore, it is considered that only one of the proposed rear balconies would provide opportunities for overlooking into the rear garden of no.68, and this balcony is located on ground floor level and set-back 5.9m from the site boundary. This balcony (serving Unit 1) would not provide opportunities to look back into window serving habitable rooms at no.68. The other rear balconies proposed are located 17.4m from the site boundary with no.68 and are therefore not expected to result in a harmful level of overlooking into no.68. Given the above, it is deemed that the proposed development would not result in significant harm to the privacy of neighbouring residential occupiers at no.68.

The proposed development will result in an increased level of site occupancy and comings and goings, but not to a level which is considered unreasonable, or out of keeping with the wider context of this part of Woodside Park Road. Indeed, as stated above, there are a number of four and five storey purpose-built blocks of flats located directly opposite and adjacent to the application site which result in more site activity and comings and goings than the proposed development would cause. Furthermore, the proposed development only provides 4 onsite parking spaces, 2 less than the 6 that can be accommodated at no.68. Therefore, comings and goings to the application site from cars and the associated noise and disturbance, is less than the amount currently experienced at no.68. Lastly, site access for vehicles and residents is dispersed across the site, with residential access located on Woodside Avenue and vehicular access on Woodside Park Road. Based on the above, it is considered that the proposed increase in comings and goings to the site and any associated noise and disturbance is reasonable in view of wider occupancy levels within surrounding buildings on Woodside Park Road and the fact vehicular access to the site is less than experienced at the adjacent property at no.68.

Based on the above, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers by way of overlooking, daylight / sunlight provision, privacy and enclosure. The proposed building

set-backs, distance from facing windows, the location of balconies and lack of flank wall windows facing no.68, is considered to result in a design which would have an acceptable impact on neighbouring amenity. Consequently, this application is considered in compliance with Policy DM01 and is therefore recommended for approval on amenity grounds.

### **Living standards for future occupiers**

#### **Floor Area:**

The London Plan (2016) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (gia) space requirements for residential units. A bedroom measuring 11.5m<sup>2</sup> and above is calculated as a two-person room. Each of the proposed units meets these standards as evidenced below:

- Unit 1: 3-bed, 5-person, 2-storeys: 93m<sup>2</sup> required / 121.9m<sup>2</sup> provided
- Unit 2: 3-bed, 5-person, 2-storeys: 93m<sup>2</sup> required / 123.9m<sup>2</sup> provided
- Unit 3: 3-bed, 5-person, 1-storey: 86m<sup>2</sup> required / 116.9m<sup>2</sup> provided
- Unit 4: 3-bed, 5-person, 1-storey: 86m<sup>2</sup> required / 110.9m<sup>2</sup> provided
- Unit 5: 2-bed, 3-person, 1-storey: 61m<sup>2</sup> required / 62.5m<sup>2</sup> provided
- Unit 6: 1-bed, 2-person, 1-storey: 50m<sup>2</sup> required / 51.4m<sup>2</sup> provided
- Unit 7: 3-bed, 5-person, 1-storey: 86m<sup>2</sup> required / 110.9m<sup>2</sup> provided
- Unit 8: 2-bed, 3-person, 1-storey: 61m<sup>2</sup> required / 62.5m<sup>2</sup> provided
- Unit 9: 1-bed, 2-person, 1-storey: 50m<sup>2</sup> required / 51.4m<sup>2</sup> provided

Table 2.2 contained within the Sustainable Design and Construction SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All proposed bedrooms meet the above standards.

#### **Floor to ceiling height:**

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling.

All proposed units meet the above standard.

#### **Light/outlook:**

Barnet's Sustainable Design & Construction SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows.

All flats except for Units 1 and 2 are either dual aspect, or south-facing and therefore provide sufficient outlook and daylight / sunlight for future occupiers. While Units 1 and 2 are primarily north-facing, it is considered they provide sufficient daylight for future occupiers, and given their direct access to external balconies, would have access to direct sunlight at both morning and evening times. Therefore, while single-aspect north-facing

units are not normally supported, in this instance it is considered that both units would provide unhindered outlook, acceptable levels of daylight, and direct sunlight via external balconies directly access via livingrooms.

#### Amenity Space:

Section 2.3 of the Sustainable Design & Construction states that for flats, 5m<sup>2</sup> of usable external amenity space should be provided per habitable room. A room of 20m<sup>2</sup> or more is calculated as two habitable rooms. The proposed development provides 123m<sup>2</sup> of private and 254m<sup>2</sup> of communal amenity space to the rear of the site. Conditions to agree the means of sub-division and soft landscaping will be attached to ensure suitable privacy protection, particularly at lower ground and ground floor levels. It is considered that through the provision of both private and communal amenity space, the proposed development complies with the stated standards.

Based on the above, it is considered that the proposed development would provide an acceptable level of amenity for future occupiers and therefore, this application is recommended for approval on amenity for future occupier grounds.

#### Highways

Based on the proposed floor plans and Policy DM17, the proposed development would have a parking requirement of 5 to 12.5 spaces. The PTAL rating for the site is 3 which represents an average level of accessibility. Both Woodside Park Road and Woodside Avenue surrounding the application site are subject to Controlled Parking Zones (CPZ).

The proposed development would provide 4 onsite parking spaces which in view of the stated parking requirement, would represent an insufficient provision of parking contrary to Policy DM17. As a result, the applicants have submitted a parking survey to assess the parking stress levels on the adjacent road network. The parking survey provided showed parking stress levels within walking distance of the application site at 76.1% on 11th September 2018 (survey conducted at 01:00) and 77.8% on 12th September 2018 (survey conducted at 01:30). The Council's Highways Officer reviewed the survey provided and concluded that:

Using census car ownership and the proposed off-street parking provision, there is sufficient space on street to accommodate over spill vehicles from the proposed development and protect existing residents parking amenity.

No objection was made by the Highways Officer regarding highways safety issues resulting from the proposed development. A separate dropped kerb application will be required to alter site access.

A cycle store is proposed adjacent to the site boundary with no.68. The store is able to provide secure and weatherproofed parking for 16 cycles. This represents 2 parking spaces per unit. This is considered acceptable and in compliance with Policy 6.9 of the London Plan (2016).

Therefore, based on the above, it is considered that the proposed development is acceptable on highways grounds. Indeed, while an insufficient amount of onsite parking has been provided, it has been demonstrated to the satisfaction of the Council's Highways Officer that there is sufficient on-street capacity to accommodate any over spill parking

from the proposed development. Consequently, this application is considered acceptable on highways grounds and recommended for approval.

## **Refuse**

The proposed development is required to comply with Barnet's Waste and Recycling Strategy (2018). Refuse and recycling storage has been located to the front of the site adjacent to the 4 onsite parking spaces for easier access and collection. Other parts of the site were explored as locations for the bin store, but due to site levels and topography it was concluded that its siting to the front of the site was the only viable option. Final details of the bin store in terms of size and external finish will be secured via condition, as will a site landscaping plan with the aim of screening the bin store from the public highway. It is considered that there is sufficient capacity to provide a policy compliant provision of refuse and recycling storage at the proposed location on site.

## **5.4 Response to Public Consultation**

Public comments have been received and where appropriate have been addressed in the report above. For the purposes of clarity, please see below:

- Insufficient onsite parking will result in traffic congestion:

A parking survey has been provided which demonstrates sufficient on-street capacity to accommodate any over flow parking resulting from the proposed development. This has been reviewed by the Highways Officer, with a subsequent recommendation for approval on highways grounds.

- Junction adjacent to the site is bad for traffic accidents. This Planning and Highways department should take a careful look at this and consider how the proposed development will impact road safety:

The Highways Officer has reviewed the proposed development's impact on highways grounds and has raised no comment or concerns relating to highways safety.

- Balconies will result in a loss of privacy for neighbouring residents. There should be a distance of 21m between facing windows:

There is a 22.2m distance between facing first and second-floor windows between the proposed development and no.64 Woodside Park Road.

- The scale and massing of the proposed development is disproportionate to the original Victorian residential property and out of keeping with the surrounding buildings. It also does not align with the established building line:

See character section above.

- Reasonable construction hours should be adhered too:

Construction working hours condition is proposed.

- The building projects too deep into the site with a consequential reduction in garden space:

There is sufficient external amenity space for all future occupiers.

- The height and depth of the proposed building will detrimentally impact the visual amenity of the neighbouring garden as a result of overshadowing. The neighbouring rear garden will also be overlooking from the proposed balconies:

See amenity section above.

- Loss of outlook and light to neighbouring units:

See amenity section above.

- Loss of another period home:

While this may be regrettable, the application site benefits from no planning protection and the replacement scheme is deemed acceptable on character grounds.

- Loss of trees impacts character of the area:

A Tree Method Statement, Tree Protection Plan and Landscaping Plan will be secured via condition. The Tree Protection and Method Statement are pre-commencement conditions.

- Form of overdevelopment:

See character and amenity section above.

- Public services and schools are already over-burdened and over-subscribed in the area. GPs appointments and school places are becoming increasingly hard to attain:

This is not a material planning consideration in the application.

- The character of the road is being irreversibly changed with fewer and fewer houses and increasingly larger blocks of flats on the road:

Woodside Park Road has a mixed residential character. Therefore, given the existing use of the property is for flats, the proposed use is acceptable in-principle.

- With increasing crime in the area, a more transitional population could lead to further increases in crime:

Woodside Park Road has a mixed residential character. Therefore, the proposed use is acceptable in-principle. The proposed development would provide active frontages on both Woodside Park Road and Woodside Park Avenue which the current building does not.

- Basement level construction is of concern to us as there are few cases for basement construction for blocks in this area.

The application site already benefits from a basement level.

## **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

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the wider streetscene of Woodside Park Road and Woodside Avenue. Furthermore, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers and would provide sufficient amenity for future occupiers. The proposed development is also considered acceptable on highways grounds. Consequently, this application is recommended for approval.

