

Location **31 - 33 Dollis Avenue London N3 1BY**

Reference: **17/0864/FUL** Received: 14th February 2017
Accepted: 14th February 2017

Ward: Finchley Church End Expiry 11th April 2017

Applicant: Ms PARUL SCAMPION

Proposal: Demolition of existing buildings and erection of two storey building with basement level and rooms in roofspace to provide 9 no. self-contained flats. Provision of basement parking including 14 no. parking spaces and 18 no. cycle storage spaces. Provision of refuse storage. Creation of landscaping to the front of the site including 3 no. parking spaces.

Recommendation: The Head of Development Management approve planning application reference 17/0864/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management.

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

08267-A-L-(00)-201 P1 (Existing Site Plan)
08267-A-L-(00)-202 (Existing Elevations)
08267-A-L-(00)-203 P4 (Proposed Site Plan)
08267-A-L-(00)-204 P5 (Proposed Lower Ground Floor Plan)
08267-A-L-(00)-205 P5 (Proposed Ground & First Floor Plans)
08267-A-L-(00)-206 P5 (Proposed Second Floor & Roof Plan)
08267-A-L-(00)-207 P2 (Proposed Sections A-A & C-C)
08267-A-L-(00)-208 P3 (Existing & Proposed Street Elevations)
08267-A-L-(00)-209 P2 (South East Elevation)
08267-A-L-(00)-210 P2 (North West Elevation)
08267-A-L-(00)-211 P5 (North East Elevation)
08267-A-L-(00)-212 P3 (South West Elevation)
08267-A-L-(00)-213 P1 (Existing & Proposed Rear Elevations)

Tree Protection Plan Rev: 1 (dated 09/02/2017)

Accessibility and Lifetime Homes Statement (received 13/02/17)
Arboricultural Report (received 13/02/17)
Construction Method Statement (received 16/02/17)
Daylight/Sunlight Report (13/02/17)
Design Statement (received 13/02/17)
Ecological Report (received 13/02/17)
Energy Statement (received 13/02/17)
Planning Statement (received 13/02/17)
Noise Impact Assessment

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 other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

- 5 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. 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 development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced 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 Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 6 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 April 2013) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 7 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).

- 8 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 before the development hereby permitted is first occupied.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 9 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as detailed in the submitted Arboricultural Report (dated 09/02/2017) 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.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 10 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 08267-A-L-(00)-0204 P5 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 Notwithstanding the plans submitted, before development of the basement ramp commences details of the layout, gradient and design of the access ramp to the basement car parking area and vertical clearances along the ramp and within the parking area including the access to the parking area from public highway shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 12 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with London Plan 2016 Cycle Parking Standards. 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.

- 13 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).

- 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 6.00pm 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).

- 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 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.

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

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

- 19 a) Prior to occupation of the development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.
- b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

- 20 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

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. 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 £37,875.25 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 £146,090.25 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.

Officer's Assessment

1. Site Description

The application site consists of two-detached buildings, located on the north-western side of Dollis Avenue, within the ward of Finchley Church End. Number 31 comprises two, three-storey semi-detached properties and number 33 has been subdivided into 5 flats. Both buildings are sited within substantial rectangular plots

The dwellings are not listed and the site does not lie within a conservation area.

2. Site History

Reference: 16/2399/FUL

Address: 31-33 Dollis Avenue, Finchley, London, N3 1BY

Decision: Refused

Decision Date: 08 June 2016

Description: Demolition of existing buildings and erection of two storey building with basement level and rooms in roofspace to provide 9 no. self-contained flats. Provision of basement parking including 14 no. parking spaces and 18 no. cycle storage spaces. Provision of refuse storage. Creation of landscaping to the front of the site including 3 no. parking spaces.

Appeal Reference: APP/N5090/W/16/3155371

Appeal Decision: Dismissed

Appeal Decision Date: 10 November 2016

Reference: C01516N/06

Address: 33 Dollis Avenue, London, N3 1BY

Decision: Approved subject to conditions

Decision Date: 14 August 2006

Description: Proposed lower ground floor flat. Ground and lower ground rear extension. Insertion of windows to both side elevations. Installation of new spiral staircase to rear.

Reference: C01516M/03

Address: 33 Dollis Avenue, London, N3 1BY

Decision: Approved subject to conditions

Decision Date: 3 June 2003

Description: Ground and lower ground rear extension and conversion of ground floor from self-contained flat into 2 self-contained flats.

Reference: C01516L/02

Address: 33 Dollis Avenue, London, N3 1BY

Decision: Refused

Decision Date: 20 December 2002

Description: Two storey rear extension involving formation of second floor terrace and alterations to existing rear dormer window. Conversion of property from three flats to five flats with forecourt parking and access from Dollis Avenue.

Reference: C01516J

Address: 31-33 Dollis Avenue, London, N3

Decision: Refused

Decision Date: 21 April 1998

Description: Redevelopment of site comprising the erection of 2 four storey blocks each containing 6 flats. Creation of access to rear garden with garage block, parking spaces and refuse stores.

3. Proposal

The application seeks the redevelopment of the application site, consisting of the demolition of the existing dwellings and the erection of two storey building with basement and rooms in the roofspace, providing 9no. self-contained flats.

The proposed building would have a massing and footprint which would spread across both sites with a number of smaller stepped elements at the rear of the building. The proposal is constructed with a hipped roof, two large elevation gables and a central recessed link section. Due to the downward topography at the rear of the site, the proposal includes a lower ground floor.

The external materials proposed are to be similar to those found on Dollis Avenue, such as red brick, grey slate roof tiles, timber sash windows and zinc cladding.

The main car park will be within the basement accessed via a covered and heated ramp with shutter at the entrance. This will provide a total of 14 spaces, 1 of which will be a disabled space, and a further 3 spaces will be provided at ground floor level at the front of the site.

The proposal has been amended to include the following changes:

- Reduction in the depth of the rear terrace to flat 4 at ground floor level

4. Public Consultation

Consultation letters were sent to 52 neighbouring properties.

4 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- Cumulative impact of recent developments are changing the character of the area;
- Development in term of the proposed design, bulk and massing is out of character with the rest of the street scene;
- Development will completely and inappropriately dominate this residential street;
- Proposal does not address previous concerns within dismissed appeal decision;
- Disruption through continued noise, dust and traffic congestion;
- Increase pressure on traffic on Dollis Avenue;
- Proposal will affect road safety.

Internal consultations

Traffic and Development - No objections subject to conditions

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.

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, CS9, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the reasons for refusal as contained in the dismissed appeal decision have been satisfactorily addressed;
- 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;
- Highways safety and parking provision.

5.3 Assessment of proposals

A previous application (reference 16/2399/FUL) was refused by the Council on 13 June 2016 for the *Demolition of existing buildings and erection of two storey building with basement level and rooms in roofspace to provide 9 no. self-contained flats. Provision of basement parking including 14 no. parking spaces and 18 no. cycle storage spaces. Provision of refuse storage. Creation of landscaping to the front of the site including 3 no. parking spaces.*

This was appealed by the applicant and was subsequently dismissed by The Planning Inspectorate due to the harmful effect on the character and appearance of the surrounding area and harmful impact on the privacy of the occupiers of No.35 Dollis Avenue.

Principle of development

Previously the Planning Authority did not have any in principle concerns regarding additional flats on this site due to the presence of other flatted developments in the locality. This was not disputed by the Appeal Inspector. Therefore, Planning Officers remain satisfied that the principle of additional flats in this location is considered to be acceptable subject to compliance with all other policies and guidance.

With regards to density, Barnet's approach is to optimise housing density in order to achieve appropriate development. This is set within the context of the Sustainable Residential Quality Density Matrix in Table 3.2 of the London Plan. This matrix sets out appropriate density ranges for suburban, urban and central locations which reflect the setting of site in terms of its location, existing building form and massing and public transport accessibility level (PTAL). The Planning Authority considers that the site can be classed as having a suburban setting and has a PTAL level of 3. The proposal would provide 9 units with a total of approximately 39 habitable rooms. The site measures 0.17ha and the London plan would indicate an appropriate density of between 150-250 habitable rooms per hectare and 35-65 units per hectare. In this instance, the proposal would result in a density of approximately 226 hr/ha and 52 u/ha, which would fall within the recommended density range for the site's context. As such the density of the development is considered to be appropriate for the area.

The proposal development would provide a mix of dwelling types, comprising 5 x 2 bedroom flats and 4 x 3 bedroom flats. Policy DM08 states that homes with 3 bedrooms are a medium priority and therefore the proposal would help contribute towards this provision.

Impact on the character and appearance of the application site and surrounding area

Referring to the dismissed appeal decision, the Inspector had the following comments: *The adjacent properties on this side of Dollis Avenue follow a similar pattern of development with houses of comparable footprint fronting the highway with generous rear gardens. Spaces between the dwellings vary but combine with the generous road width to give the area a characteristic sense of spaciousness. I accept that the height of the proposed building would respect that of adjoining properties. However, the overall footprint, depth and bulk of the building would be much greater with the space between the building and 35 Dollis Avenue visibly reduced. As a result of the visual bulk, scale and mass of the building which would have an unduly cramped appearance, materially diminishing the spacious character and prevailing pattern of development on this particular part of Dollis Avenue. Whilst I acknowledge the site is not a corner plot, its prominence*

would be exacerbated by the proximity to the junction with Church Crescent....I therefore conclude that the proposed development would have a materially harmful effect on the character and appearance of the surrounding area.

To address the above concern the proposed development has been reduced in width with a number of setbacks as the development projects within the site. This has resulted in a smaller overall footprint. In addition the separation distance between No.35 has been increased from 1.6m in the previous submission to 2.6m in the current scheme.

In considering the context of the street, there are a variety of single family houses and flatted developments of differing styles and sizes, contained within Dollis Avenue. As the inspector noted there are also varying spaces between the properties. In terms of the proposed development, the height of the proposed building is considered to be acceptable and the external design which comprises of front-facing gables and hipped roof is considered to be reflective of the existing character and appearance within Dollis Avenue. The siting of the building has been moved further away from the boundary with No.35 Dollis Avenue and Planning Officers are satisfied that this maintains an adequate setting for the development and separation distance with the adjacent property. The proposal's visual streetscene appearance is considered to be appropriate and would not detrimentally impact the character and appearance of the surrounding area. The extent of the rear additions would be visually reduced from the streetscene as they have been stepped in from the side elevations.

Overall, Planning Officers are of the opinion that the proposed scheme has satisfactorily addressed the concerns of the Inspector, in that the bulk and massing of the proposed development has been reduced and that the relationship of the proposal with adjacent properties is considered to be much more appropriate. As such Planning Officers consider that the scheme is compliant with Barnet policy DM01.

Whether harm would be caused to the living conditions of neighbouring residents

With regards to this consideration, the Inspector raised the following comments:

The proposed development includes a rear terrace and a number of balconies, some of which would have approximately 1.8 metre high side screens. I noted at my site visit that the existing properties have rear balconies and acknowledge that a degree of overlooking already exists towards neighbouring gardens, particularly that of No 35. However, despite the scope for incorporating privacy screens, the proposed development would result in a substantial increase in the number of balconies affording its users a more open and elevated view of the neighbouring gardens, particularly that of No.35. Given the above, the occupiers of the adjacent garden would be aware of people using the balconies and would experience the perception of being overlooked. In my view this would lead to an unacceptable loss of privacy for the occupiers of No.35. The Inspector concluded that the proposal would not materially harm the living conditions of occupiers of neighbouring properties of neighbouring properties with respect to outlook, noise and disturbance, I have concluded that there would be material harm with respect to privacy.

To address this concern, a number of balconies have been removed from the proposed development (flats 7,8 and 9). Therefore only the basement and ground floor units have private terrace areas and only Flat 6 on the first floor has a private balcony area. As such Planning Officers consider that the opportunity for overlooking has been significantly removed from the current proposal and is not considered to adversely affect the neighbouring amenity of adjacent properties. For this reason, Planning Officers consider that the proposal is compliant with Barnet policy DM02.

Whether adequate standards of accommodation are provided for future occupier

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:

Flat 1 - 3B/6P	200sq.m
Flat 2 - 2B/4P	113sq.m
Flat 3 - 2B/4P	130sq.m
Flat 4 - 2B/4P	123sq.m
Flat 5 - 3B/6P	139sq.m
Flat 6 - 2B/4P	122sq.m
Flat 7 - 2B/4P	123sq.m
Flat 8 - 3B/6P	171sq.m
Flat 9 - 3B/6P	122sq.m

The proposed units would exceed the minimum space standards as contained within the London Plan. Each of the units would be dual aspect and are considered to offer acceptable levels of outlook for future occupiers. The proposed stacking is considered to be acceptable and would limit the transfer of noise both horizontal and vertically between the 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 provided per habitable room for flats. Five of the nine flats have private amenity space in the form of terraces or balcony. In addition, future residents of all flats would have access to the communal amenity space at the rear of the building which has a total area of 475sq.m. This would far exceed the requirements set out in Barnet's Sustainable Design and Construction SPD (2016).

Highways and Parking

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 2 and 3 bedroom units 1.0 to 1.5 spaces per unit

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

5x2b	a range of 1.0 to 1.5	5.0 to 7.5 spaces required
4x3b	a range of 1.0 to 1.5	4.0 to 6 spaces required

This equates to a parking provision range of between 9.0 and 13.5 spaces to meet the requirements of Policy DM17. A total of 17 spaces are being proposed, 14 within the

basement level and 3 at ground floor level. The Council's Traffic and Development service has reviewed the proposed scheme and comment that the layout of the basement level is acceptable and taking into account the PTAL rating of the site as being 3, the parking provision is in accordance with the parking standards as set out in policy DM17. 18 bicycle spaces are to be provided within the basement car park. Overall the application is supported subject to a number of conditions being applied to any planning permission.

Refuse and Recycling

The bin store is proposed to be located within the basement car park where it will be stored for the duration of the week and transferred to the collection point adjacent to the surface parking on collection days. The collection point is proposed to be enclosed on three sides with a 1.5m red brick wall, matching the brick of the main building.

Accessibility and Sustainability

The London Plan requirement is that, 90% of housing should be built to Building Regulation requirement 'M4(2): Accessible and adaptable dwellings'. The proposal includes the provision of a level access to the entrance of the block and rear communal garden and a lift is proposed to service all levels within the development. The proposal is therefore seen to comply with Part M4(2) and policy 3.5 of the London Plan.

It is essential that new development uses water efficiently, seek wherever possible to reduce consumption. Residential development should be designed so that mains water consumption would meet a target of 105 litres or less per head per day. A condition will be attached to the permission to ensure that this requirement is met within the development.

In respect of carbon dioxide emission reduction, the Mayor's Sustainable Design and Construction SPD states that Part L of the Building Regulations 2013 aims to deliver an overall 6% reduction in carbon dioxide emissions from new residential buildings.

5.4 Response to Public Consultation

Cumulative impact of recent developments are changing the character of the area - There are a number of purpose built apartment blocks which form part of the character and built fabric of the street. Planning Officers do not consider that the development of this site would have a detrimental impact on the character of the street.

Development in term of the proposed design, bulk and massing is out of character with the rest of the street scene - Planning Officers consider that the proposed development is of an appropriate design, siting, massing and height and would not have a significant detrimental impact on the character of the street.

Development will completely and inappropriately dominate this residential street - Planning Officers consider that the proposed development is of an appropriate design, siting, massing and height and would not have a significant detrimental impact on the character of the street.

Proposal does not address previous concerns within dismissed appeal decision - Planning Officers have reviewed the appeal decision and are of the opinion that the issues raised by the Planning Inspectorate have been satisfactorily addressed in this application.

Disruption through continued noise, dust and traffic congestion - planning conditions will be attached to help mitigate some of the potential development disturbances. However, more serious breaches of noise/disturbance are dealt under separate Environmental legislation.

Increase pressure on traffic on Dollis Avenue - The Council's Traffic and Development team has assessed the proposal and does not consider it will have a detrimental increase on traffic levels.

Proposal will affect road safety - The Council's Traffic and Development team has assessed the proposal and does not consider it will have a detrimental impact on road safety.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the 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.



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