

**Location**                      **22 And 24 Dollis Avenue London N3 1TX**

**Reference:**                      **17/1363/FUL**                      Received: 6th March 2017  
Accepted: 13th March 2017

Ward:                              Finchley Church End                      Expiry 8th May 2017

Applicant:                      N/A

Proposal:                      Demolition of existing buildings. Erection of two-storey building comprising of 9no residential apartments with rooms in roof space and basement level. Parking for 15no cars at basement level, cycle parking for 20no cycles and refuse storage. Associated new fencing, landscaping, and amenity space

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management 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: Sustainability and Energy Statement by JS Lewis Ltd dated February 2017; Daylight and Sunlight Study by Delva Patman Redler ref LT/lt/17021 dated January 2017; Planning and Design and Access Statement by JMS Planning and Development Ltd dated February 2017; Arboricultural Assessment and Method Statement by Barrell Tree Consultancy Dated 24th February 2017 ref 14390-AA-MW; Tree Protection Plan Barrell Plan Ref: 14390-BT1; Drawing no. ASP.14.043A.001 Rev B; Drawing no. ASP.14.043A.002 Rev I; Drawing no. ASP.14.043A.003; Drawing no. ASP.14.043A.004; Drawing no. ASP.14.043A.005; Drawing no. ASP.14.043A.100 Rev E; Drawing no. ASP.14.043A.101 Rev C; Drawing no. ASP.14.043A.102 Rev A; Drawing no. ASP.14.043A.103 Rev D; Drawing no. ASP.14.043A.104 Rev B; Drawing no. ASP.14.043A.200 Rev E; Drawing no. ASP.14.043A.201 Rev E; Drawing no. ASP.14.043A.202 Rev D; Drawing no. ASP.14.043A.203 Rev F; Drawing no. ASP.14.043A.204 Rev B; Drawing no. ASP.14.043A.205 Rev E; Drawing no. ASP.14.043A.300 Rev E.

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 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) 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.

Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards. The applicant should sign a Waiver of Liability and Indemnity Agreement to indemnify the Council against any claims for damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

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; to protect the amenities of the area and to ensure that the access is satisfactory in terms of highway safety development in accordance with policies DM01 and DM17 of the Adopted Barnet Development Management Policies DPD (2012), and CS9 and CS14 of the Adopted Barnet Core Strategy DPD (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 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities, 20% active and 20% passive in accordance with the London Plan. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 8 Before the development hereby permitted is first occupied, the basement parking for cars and cycles shown on Drawing No ASP.14.043A.100 Ref E shall be provided. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 9 Notwithstanding the plans submitted, before development commences, details of the passing places, access ramp gradient leading to the basement car parking area, car park layout, and the car ramp warning (signal control) system, including maintenance contract details, together with headroom clearances along the ramp and within the parking area 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.

- 10 The development shall thereafter be implemented in accordance with the cycle parking and storage details indicated on the hereby approved drawing no. ASP.14.043A.100 Rev E 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.

- 11 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 2015.

- 12 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 commenced.

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.

- 13 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

- 14 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing no.20 Dollis Avenue and The Lintons, 26 Dollis Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

- 15 The layout of the residential units as indicated on the hereby approved plans shall be implemented 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 policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted October 2016).

- 16 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 October 2016).

- 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 10.41% 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 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.

- 20 The amenity space shall be implemented in accordance with the details indicated on the hereby approved Drawing no. ASp.14.043A.002 Rev I 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 October 2016).

- 21 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).

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

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

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

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered 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. Your planning application has been assessed at this time as liable for a £15,680.00 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 £74,790.00 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](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 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 5 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-

site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

- 6 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).
- 7 The plans and particulars submitted in accordance with Condition 11; above shall include:
  - (a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree and which trees are to be removed;
  - (b) details of the species, diameter (measured in accordance with paragraph (a) above), root protection area (as defined in BS5837:2012 Trees in Relation to design, demolition and construction-Recommendations), the approximate height, and an assessment of the general structural and physiological condition, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
  - (c) details of any proposed pruning of any retained tree, and of any tree on land adjacent to the site;
  - (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012.
  - (e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this connection 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

## **Officer's Assessment**

### **1. Site Description**

The application site is at present comprised of two large detached dwellings located on the northern side of Dollis Avenue within the Finchley Church End Ward. The properties are not listed nor do they lie within a conservation area.

Although the area is predominantly characterised by single family dwellings, there are examples of flatted developments in the immediate vicinity, including to the north at the development known as The Lintons (no.26 Dollis Avenue) and directly opposite at the development known as Primrose Court.

The existing properties benefit from off-street parking and a large forecourt. The existing properties are two storeys in height with accommodation in the roof space. No.22 Dollis Avenue benefits from a large single storey outbuilding connected to the main dwelling along the boundary with no.20 Dollis Avenue.

There are changes in the ground levels with the existing dwellings lying at a higher level than the highway.

There are numerous trees on the site and adjacent land however none are covered by a Tree Preservation Order.

### **2. Site History**

Reference: F/04503/08

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Lawful

Decision Date: 19 January 2009

Description: Erection of ground floor side and rear extension and first floor rear extension. Alterations to roof including side dormers.

Reference: F/00153/13

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Approved subject to conditions

Decision Date: 19 March 2013

Description: Extension to roof including two side dormer windows to facilitate a loft conversion. First floor side extension.

Reference: F/02469/08

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 3 September 2008

Description: Erection of ground floor side and rear extension and rear first floor extension. Extension and alteration to existing roof including new rear balcony, front dormer and solar panels.

Reference: C10607A/05

Address: 22 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 12 December 2005

Description: Alteration to roof including gable end to front elevation and dormer window to side to extend existing loft conversion. Part single, part two-storey rear extension. Two-storey side extension. First floor side extension.

Reference: F/03294/10

Address: 24 Dollis Avenue, London, N3 1TX

Decision: Approved subject to conditions

Decision Date: 17 November 2010

Description: Formation of ground floor side extension to adjoining garage. First floor extensions to both sides and front elevations. Alterations to roof including extension of ridge-line and addition of a rear dormer (Amendment to planning application reference C/12313/D/05 dated 06/06/05)

Reference: C12313D/05

Address: 24 Dollis Avenue, London, N3 1TX

Decision: Approved subject to conditions

Decision Date: 6 June 2005

Description: Formation of ground floor side extension adjoining garage. First floor extensions to both sides and front. Alterations to roof including extension of ridge-line and addition of rear dormer. (Amendment to Appeal decision ref: APP/N5090/A/03/1118648 dated 18/03/2004.)

Reference: C12313B/02

Address: 24 Dollis Avenue, London, N3 1TX

Decision: Refused

Decision Date: 24 January 2003

Description: Part single, part two storey side and front extension facing 22 Dollis Avenue. Two storey side extension facing 26 Dollis Avenue. Enlarged roofspace involving formation of rear dormer window and elevational alterations.

Reference: C12313A/01

Address: 24 Dollis Avenue, London, N3 1TX

Decision: Approved subject to conditions

Decision Date: 25 May 2001

Description: Two storey side extension.

Reference: C12313C/04

Address: 24 Dollis Avenue, London, N3 1TX

Decision: Withdrawn

Decision Date: 3 March 2005

Description: Ground floor side extension adjoining garage. First floor extensions to both sides and front. Alterations to roof including extension of ridge-line and addition of rear dormer window.

### **3. Proposal**

The applicant seeks planning consent for the demolition of the existing dwelling houses and erection of two-storey building comprising of 9no residential apartments with accommodation in roof space and basement level. The development would include parking for 15no cars at basement level, cycle parking for 20no cycles and refuse storage at basement level also. In addition, there would be new fencing, and associated landscaping and amenity space.

The units mix would as follows:

- 1 x 1 bed (2 occupiers) flats;
- 2 x 2 bed (4 occupiers) maisonettes;
- 2 x 2 bed (4 occupiers) flats;
- 4 x 3 bed (6 occupiers) flats.

The proposed building would be set 2.4m from the boundary with no.26 Dollis Avenue (The Lintons) at the front and a minimum of 0.8m at the rear, although the rearmost section of the building at the building would be set further away from the boundary. The proposed building would be set 2m from the boundary with no. 20 Dollis Avenue measured at the front and 2.2m measured at the rear.

Due to the bend in the road at this position, the buildings on this side of the road follow a stagger. The building line would be comparable to The Lintons, although recessed by 0.5m, and would project approximately 4.6m beyond the front elevation of no. 20 Dollis Avenue ( 2.8m beyond the front elevation of single storey garage of no.20 adjoining the boundary with the host site).

The building would have a maximum depth of 18m, although there are recessed sections at the front and rear elevations. The building would have a maximum width of 29.4m, although the building is narrower at the rear and set 4m from the boundary with no.20 Dollis Avenue and 3m from the boundary with no 26 Dollis Avenue (flatted development).

The building would be set at a higher level than the streetscene with an access ramp to the main entrance. The section of the building adjacent to The Lintons (no.26) would be set at a lower level by 0.5m to appear subordinate.

The ramp into the basement would be situated adjacent to no.20 Dollis Avenue. The building would have a crown roof with front and rear dormers.

The application has been amended during the course of the application to address concerns raised by officers regarding siting of the building, bulk and massing, size of rear terrace and lightwells, and outlook to basement units (amended to maisonettes). The bulk and massing has been reduced near no.26 The Lintons and the section of the building set lower to appear subordinate. The building has also been sited towards the rear by 0.2m along The Lintons boundary and 2m along the boundary with 20 Dollis Avenue.

#### **4. Public Consultation**

Consultation letters were sent to 57 neighbouring properties.

18 responses have been received, comprising 18 letters of objection. A petition has also been received comprising of 62 signatures.

The objections received can be summarised as follows:

- Loss of attractive houses replaced with a block of flats of no architectural merit;
- Principle of flats unsuitable;
- Poor design/ utilitarian appearance;
- Proposed building massive and obtrusive, and this would dominate the road;
- Out-of-character;
- Overdevelopment;

- Road is an attractive road with mature character as described by Inspector on other scheme (no.14 Dollis Avenue), this building will change appearance of street;
- Parking pressures from occupiers and visitors to new flats;
- Increase in pollution from vehicles;
- Flats unsuitable in this location/ alter character of road;
- Loss of trees;
- Poor planning decisions before do not justify poor decisions now;
- More suitable to a university campus than a residential street;
- Overbearing and bulky design;
- Number of unsightly bins on collection day will be unpleasant;
- No engagement with neighbours;
- In most London Borough's a Construction Method Statement would be supplied by an engineer. No structural information has been provided for the basement;
- No details of site specific investigation including ground water and monitoring results have been provided;
- No surface water or sustainable urban drainage strategy (SUDS) details have been provided;
- Overlooking into rear and neighbouring gardens due to raised terrace and rear balconies;
- Loss of light/ overshadowing to neighbouring properties
- Planned height of fence at 2.5m does not conform to standard;
- Loss of outlook and sense of enclosure;
- Significant loss of garden and landscaping;
- Oppose the scale and high density;
- No affordable housing/no social gain;
- Disruption during construction;
- Setting precedent;
- Low brick wall will reduce security of taller fencing at the front

A site notice was erected on the 23rd March 2017.

A reconsultation was carried out to consider allowing neighbours to comment on the amended scheme. Four additional comments and a petition with 105 signatures have been provided; the comments can be summarised as:

- Council should preserve current balance of family homes to apartments on Dollis Avenue/prevent the destruction of character and loss of family homes;
- Tree survey does not consider the impact on trees on neighbouring land;
- No pre-application consultation with neighbours;
- Most Councils require a detailed Construction Method Statement to be provided to detail the basement;
- Overdevelopment of the site;
- Overlooking in rear and side gardens;
- Size of basement;
- Reduction in height of fence would enable overlooking;
- Loss of light/ overshadowing;
- Loss of outlook;
- Impact to streetscene;
- Sense of enclosure/ overbearing;
- Poor amenity for basement units;
- Nothing in the amended plans deal with the comments made previously objecting to the development on character grounds (loss of housing to flats);

- "How long will it be before the transformation of this lovely Avenue is so marked and the density of its population so high that public transport through this wide avenue should be considered?";
- Dominate this side of the road;
- Proposal is not going to be affordable housing;
- Increase of traffic and congestion/ Highways safety due to proximity to nearby schools;
- "More suitable to a bland university campus than a residential street";
- "The overbearing bulky design of the facade of the terraced block of flats does not take into account of the distinctiveness of the existing dwellings";
- Building fails to disguise itself as a house due to vast amount of fenestration at the rear and rear and height of the building.

## **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, CS10, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.



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

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

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

The main issues for consideration in this case are:

- Principle of development
- 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.
- Impact on future occupiers
- Impact on Trees
- Highways
- Sustainability Measures

### **5.3 Assessment of proposals**

#### Principle of Development

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

The houses are not considered to be of particular architectural merit, they are not listed nor do they lie within a conservation area. As such the principle of demolition is considered acceptable.

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

Policy DM01 part h) which seeks to protect the character of Barnet states that the 'conversion of dwellings into flats in roads characterised by houses will not normally be appropriate'. Although the area is predominantly comprised of single family units, there are

some examples of flatted development in the immediate vicinity. Directly to the north of the site, lies a block of 8 flats known as Lintons (at no.26 Dollis Avenue) and directly adjacent to the site lies another block of 7 flats known as Primrose Court. More recently planning permission was granted at no.21 Dollis Avenue for the erection of a block of 5 flats (reference F/04800/14) and no. 14 Dollis Avenue was granted permission at appeal for 6 flats with basement parking and accommodation (planning reference F/02194/12).

Considering this, the principle of a flatted accommodation on this section of the road is considered to be acceptable.

London Plan policy 3.4 seeks to optimise the housing potential of sites with reference to the density matrix contained in Table 3.2 which provides a guide to appropriate density ranges for particular locations, depending on accessibility and character.

The application site has benefits from a PTAL of 3 which is considered to be average, and is considered to fall within a suburban setting as defined in the London Plan. The London Plan Density Matrix suggests a range of 35-95 units per hectare. Taking the site area of 0.17ha, the proposal for 9 flats would equate to a density of 52.94 units per hectare which is within the recommended range as specified in the London Plan density matrix. The proposed density range is considered to be appropriate; however is not the only consideration to determine whether development is suitable. The NPPF stipulates that planning decisions should "optimise the potential of the site to accommodate development" and development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. This will be discussed in more detail in the following sections.

The proposed development would result in the loss of two 6 bedroom dwelling houses. Policy DM08 stipulates that for market housing, the highest priority is for family homes of 4 bedrooms. Whilst smaller units are proposed, all of which exceed the minimum space standards, the overall increase in the number of units, including 2bed and 3 bed units is considered to outweigh the loss of the larger dwellings due to the overall associated benefits of adding to the housing stock. The scheme is a minor application and would include a suitable mix of units for the area. As such is considered to be acceptable in principle.

#### Impact on the character of the area

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. However, whilst the NPPF advocates that planning should not attempt to impose architectural styles or particular tastes it is considered proper to seek to promote or reinforce local distinctiveness.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The building line is considered to be appropriate and responds to the camber of the road. Whilst the building would project beyond the front elevation of no.20 Dollis Avenue, this would not be uncharacteristic for this section of the road, and given the distance between

the properties and amendments to the siting of the building particularly near no.20 Dollis Avenue. it is not considered to appear overbearing. Similarly the building line at the rear would be in keeping with the building depth of other properties in the road, with the central projection set away from the common boundaries.

The design of the building is traditional and simply, reflective of some of other buildings on the road including no. 14 Dollis Avenue, which although granted approval at appeal, still constitutes the character of the road. Details of materials would be provided by a condition.

The proposed building would be set lower than the ridge of the existing properties and in terms of the height of the building, this is considered to be appropriate. With regards to the scale, bulk and massing of the building this has been amended and reduced during the course of the assessment of the application to address concerns raised by officers. Whilst the proposed building would span across the site with no gap in between (as with the existing detached dwellings), the building includes a mixture of recesses and forward projections to reduce the prominence of the building and break-down the massing. Similarly the section adjacent to The Lintons has been set 0.5m lower than the main building including the secondary entrance to appear subservient and the building reads as two cores, with the left hand section sited at a lower level than thus reducing the prominence of the building. The amendments in reducing the bulk and massing are considered to have addressed initial concerns regarding the building appearing overbearing and reading as a grandeur structure; in this regard it is considered that the building is of an appropriate scale for the large site.

The immediate vicinity is comprised of a mixture mainly large detached houses and some flats, of varying forms, plot widths and size of buildings; whilst there is some pattern in the style of small groups of buildings, it is not considered that there is a strong rhythm. Furthermore due to the variety between the types of buildings including siting on the plot, there is not a strong continuity in the spacing between buildings themselves. It is therefore considered that whilst the span of the building would not allow views through the centre of the site as existing due to the spacing between the two dwellings, this would not be out-of-character or detrimental to the general streetscene.

Whilst the Residential Design Guidance SPD stipulates that front dormers will not normally be considered acceptable, there are other examples of front dormers in the vicinity and these would not be out-of-character. The dormers both at the front and rear are modest in size and appear subordinate.

With regards to the basement, the Council's Residential Design Guidance SPD stipulates that "for new residential development, basements should generally be limited to the proposed footprint and volume of the house or building... [although] in larger buildings with extensive plots it may be possible to extend under part of the rear garden".

The lightwells have a modest projection and at the front given the large front garden, suitable landscaping would be sought to obscure the appearance. The rear terrace has been reduced to a modest depth of 2m. The level of excavation and basement manifestations appear subordinate to the main building.

The location of the ramp to the southern section of the road would minimise the prominence and, subject surrounding landscaping as indicated in the site plan, the visibility from the streetscene is considered to be unassertive.

The proposal would retain a large rear garden, similar to the depth of gardens of other properties on the road.

It is considered that the combined amendments have reduced the dominance of the building and the proposal it is not considered to represent an overdevelopment of the site. Officers therefore consider that the proposed building, as amended, would be sympathetic and positive addition to the character and appearance of the locality.

#### Impact on the amenities of neighbours

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites. New development should therefore have due regard to the amenity of existing occupiers in neighbouring buildings.

Whilst it is acknowledged that the proposed building would be sited beyond the 2.8m beyond the main elevation of no.20, the building would not result in loss of light to the amenities of these occupiers. It is also noted that adjacent to no.20 was a long single storey structure abutting the boundary which would be removed and therefore in this regard, the removal of this structure would alleviate the impact at the rear garden of no.20 Dollis Avenue. Due to the siting of the building, the distance from the common boundaries and also the distance between flank elevations of neighbouring properties, combined with the lower height of the proposed building than the height of the existing structures, it is not considered that the proposed structure would appear overbearing or imposing on the amenities of neighbouring properties.

The applicant has provided a Daylight and Sunlight Study as part of the supporting documents which concludes that the development would not have an adverse impact on daylight and sunlight received by the nearest neighbours (no.20 and 26 Dollis Avenue).

There are windows located to the flank elevation of the proposed however these will be conditioned to be obscured glazed, as they do not serve habitable rooms or are secondary windows, to prevent overlooking into neighbouring properties and gardens. Similarly, there are windows to the side elevations of the neighbouring buildings fronting the host site, although from the site visit and supporting information (Daylight and Sunlight study) these do not appear to serve habitable rooms and as such it is not considered that the siting of the building would be detrimental to the visual amenities or privacy of neighbouring occupiers.

The terrace at the rear has been reduced in depth to take into account concerns raised by officers on character and amenity grounds; it is not considered, given the distance from the neighbouring properties and depth as amended, that the raised terrace would result in overlooking to neighbouring gardens.

The Residential Design Guidance SPD states that to mitigate overlooking between residential units, the minimum distance between windows serving habitable rooms should be 21 metres and there should be a distance of 10.5 metres between a new development and a neighbouring garden. Due to the length of the garden and the siting of the building, the scheme would meet both standards and it is therefore not considered that the proposed building would result in direct overlooking in the properties at the rear; the building would be at least 18.6m to the rear gardens of properties on Church Crescent and

approximately 39m between habitable rooms. The windows at the rear of the building would not result in additional levels of overlooking than expected in a suburban setting.

On balance, the impact on neighbouring occupiers is considered to be acceptable and approval is recommended.

#### Impact on the amenities of future occupiers

Any proposal for the site which includes an element of residential dwelling use will need to demonstrate that it is providing suitable amenities for its future occupiers in the relevant regards (for example, daylight, sunlight, outlook, privacy and internal and external amenity space). Development plan policies DM01, DM02 (of the Barnet Local Plan) and 3.5 (of the London Plan), the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance' and the Mayoral planning guidance document 'Housing' identify what this would constitute.

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016. The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm.

The minimum standards, as set out in the London Plan, are as follows:

- 1 bed unit for 2 occupiers at one storey is 50sqm;
- 2 bed unit for 4 occupiers at one storey is 70sqm;
- 2 bed unit for 4 occupiers over two storeys is 79sqm;
- 3 bed unit for 6 occupiers at one storey is 95sqm.

The proposed units would offer the following floor areas:

- Unit 8 is a one bed unit (2p) providing 91sqm;
- Unit 1 and Unit 2 are two bed maisonette units (4p) providing a floor area of 109sqm and 147sqm respectively;
- Unit 3 and Unit 6 are two bed maisonette units (4p) providing a floor area of 143sqm for each unit;
- Unit 4, Unit 5, Unit 7 and Unit 9 are three bed units (6p) providing a floor area of 131sqm, 131sqm, 141sqm and 192sqm respectively.

The units would comply and exceed the minimum space standards relative to the size of the unit. In addition, the bedrooms would meet and again exceed the standards for single or double rooms (respectively).

New flats are expected to provide suitable outlook and light to all habitable rooms; the scheme would meet this requirement. The units would all have dual aspect. With regards to the maisonette flats, the layout results in the bedrooms to these units being served by lightwells. Whilst the outlook to these rooms would be limited due to the depth of the lightwells, consideration has been given to the siting of the principle and communal habitable rooms to these flats (the living and dining areas) being sited at ground floor levels and thus benefitting from good outlook. In addition, as mentioned above, the applicant has provided a Daylight and sunlight study which demonstrates that the habitable rooms located at basement level would receive acceptable levels of light. On balance, it is considered that the siting of part of the accommodation at basement level does not warrant refusal.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision. The stacking of the flats is considered to be suitable.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. The Sustainable Design and Construction SPD stipulates that for flats, 5sqm of outdoor amenity space should be provided per habitable room; where rooms exceed 20sqm in floorspace, they are counted as two habitable rooms. The proposal would involve the provision of outdoor amenity space for all flats through a rear communal garden; this is considered to be a useable area.

It is considered that the proposed scheme would provide high level of amenity for future occupiers and approval is recommended on these grounds.

### Highways

The Council's Highways officers have reviewed the information provided and have commented on the scheme.

The proposal is for the demolition of 2 existing dwellings and the erection of a two storey building comprising of 9 units (1x1bed/ 4x2bed/ 4x3bed). Basement parking for 15 car parking spaces is provided, along with 20 cycle parking spaces, refuse storage and new fencing. Amenity space and other associated works.

The site lies within a PTAL of 3 which is considered average, and there is a Controlled Parking Zone (CPZ) in effect Monday to Friday 2 to 3pm.

According to the parking standards as set out in Policy DM17, this site would require in the range of 8 to 13 vehicle car parking spaces. The provision of 15 spaces is therefore an over provision of 2 car parking spaces, however officers have considered this to be acceptable given the size of the units (exceeding the minimum floor area).

In accordance with Policy 6.9 of the London Plan, new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 6.3 of the London Plan, the development would require the provision of a 17 cycle spaces (1 cycle space per studio and 1 bedroom unit and 2 cycle spaces per other sized dwellings). The provision of cycle parking is 20 spaces is above the minimum requirements set out in the London Plan.

In terms of the refuse management, the provision would comply with requirements as set out in the Council's Waste Management Strategy. In respect of the bin collection point, the applicant has clarified that the bins would be located more than 10m from the highway at basement level. The bins will be managed through a private collection company who will collect the bins direct from the bin store. Such a private collection company will be able to access the basement floor through the proposed ramp via key pad arrangement or otherwise. Further details will be required as to how this will be managed including details of the vehicle, however these can be secured through a condition.

Highways officers have recommended that subject to the attached conditions and informative, there is no objection to the scheme on highways grounds.

### Trees

As part of the submission, an arboricultural impact assessment and tree protection plan have been provided, which have been reviewed by the Council's tree specialist. Although there are no protected trees on the site, Policy DM01 advises that trees should be safeguarded.

The proposal requires the loss of 21 trees categorised as C low value. The majority of these trees are small or small growing tree species. There will be a minor loss of visual tree amenity in the local area, however larger healthy trees are retained at the front of the property and in the rear. In addition, the proposed arboricultural impact assessment appears to be in draft form; an accurate method statement and tree-protection plan would be secured through a condition.

Whilst no landscaping plan has been submitted, it is considered that subject to a condition to secure a suitable landscape plan which would seek to provide a high quality frontage to the apartment building and help soften the mass of the building into the street scene, the proposal would be acceptable in this regard. The landscaping scheme would be required to address the loss of trees on the site.

### Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies. The scheme would provide two lifts.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 10.41% CO<sub>2</sub> reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

### Community Infrastructure Levy

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

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm (index related).

The proposal has been calculated to be liable for £74,790.00 of Barnet CIL and £15,680.00 of Mayor's CIL.

#### **5.4 Response to Public Consultation**

It is considered that the planning related objections have been addressed in the report above. In addition, the following responses are provided:

"No engagement with neighbours"- Whilst engagement and consultation with neighbours is encouraged, it is not a statutory requirement with an application of this scale.

"In most London Borough's a Construction Method Statement would be supplied by an engineer. No structural information has been provided for the basement" - The structural implications of the basement including the possible impact on neighbouring properties with regards to stability are assessed under Building Regulations and it is not considered justified to require a Basement Impact Assessment to be secured by a condition. Taking into the geology of the area, A BIA would not be warranted accordance with Sustainable Design and Construction SPD.

"No details of site specific investigation including ground water and monitoring results have been provided" and "No surface water or sustainable urban drainage strategy (SUDS) details have been provided" - Given the scale of development, the application does not require this information. In addition, the site is within a Flood Risk Zone 1 which is considered to have a low probability of flooding. The Government's standing advice suggests that a flood risk assessment will only be required in Flood Zone 1 if the development is larger than 1 hectare and/or is affected by sources of flooding other than rivers and the sea, for example surface water drains; it is not considered that there is any evidence to justify that this information will be required and as such the lack of this information is not considered to be a justified reason for refusal. The application does not require the provision of SUDS information as it is considered as a minor application (up to 9 units). The application does not require the provision of SUDS information as it is considered as a minor application (up to 9 units). The site has been identified as having a low probability of surface water flooding and is not identified as a site in a critical drainage area.

"Overlooking into rear and neighbouring gardens due to raised terrace and rear balconies"- The rear terraced has been significantly reduced in depth since the initial consultation and this is no longer considered to be detrimental to the privacy of future occupiers. With regards to the Juliette balconies, it is noted that the doors to this open inwards into the proposed units and would not facilitate a platform beyond the rear elevation; it is therefore not considered that this would result in a greater level of overlooking than a standard window on the rear elevation.

"Planned height of fence at 2.5m does not conform to standard"- the fence has been reduced in height to 2m as indicated on drawing no. ASP.14.043A.002 Rev D.

"No affordable housing/no social gain"- The development does not meet the threshold to require the provision of affordable housing.



"Disruption during construction" - It is considered that noise and disturbance during construction can be mitigated by the condition restricting working hours.

"Low brick wall will reduce security of taller fencing at the front"- Details of the means of enclosure have been requested through a condition.

## **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 proposal as amended is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

