

Location **2 Dollis Road London N3 1RG**

Reference: **18/2369/FUL**

Received: 18th April 2018

Accepted: 1st May 2018

Ward: West Finchley

Expiry 26th June 2018

Applicant: Shahar

Proposal: Demolition of existing dwelling and construction of a three storey detached building plus rooms in roofspace comprising of 7no self-contained flats. Associated amenity space, refuse storage, cycle store and provision of 4no off street parking spaces

Recommendation: Approve subject to s106

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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Contribution to street tree planting to provide setting to the building - £4,800

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management or Head of Strategic Planning:

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

Drawing No. 2DR-PP1-01

Drawing No. 2DR-PP1-02 A

Drawing No. 2DR-PP1-03 A

Drawing No. 2DR-PP1-04

Drawing No. 2DR-PP1-05 A

Drawing No. 2DR-PP1-06

Sustainability Statement dated 18 April 2018 by Tal Acr Ltd.

Transport Statement dated April 2018 by Caneparo Associates and accompanying drawing no. TR01 A

Design and Access Statement and Planning Statement

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

2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(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 2016.

5 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 October 2016) and 7.21 of the London Plan 2016.

6 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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) and Flat 3 shall be constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. 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.

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) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

10 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- 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.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway

and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan

11 Before the development hereby permitted is first occupied the parking spaces shown on the plans approved under Condition 1 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development. The parking spaces and access to the parking spaces from the public highways shall be maintained at all times.

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.

RECOMMENDATION III:

1 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 18 September 2018, unless otherwise agreed in writing, the Service Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of street tree planting. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

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 Thames Water have stated:

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.

"We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Should you require further information please refer to our website.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

WATER COMMENT

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

- 4 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 5 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 6 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 4500.

Officer's Assessment

1. Site Description

The application property is a semi-detached property sited at the junction of Dollis Road and Crescent Road.

It fronts Dollis Road, with its side elevation facing Nether Street, and rear elevation facing Crescent Road.

It is not located within a conservation area and is not a statutory or locally listed building.

There are no Tree Preservation Orders on site.

2. Site History

Reference: C04130C

Address: 2 Dollis Road N3

Description: Erection of garage with bedroom over

Decision: Approved subject to conditions

Decision date: 14 October 1974

Reference: C04130B

Address: 2 Dollis Road N3

Description: Erection of garage/bathroom/utility room extension at rear

Decision: Approved subject to conditions

Decision date: 06 March 1974

Reference: C04130A

Address: 2 Dollis Road N3

Description: Erection of two storey rear extension

Decision: Refused

Decision date: 19 September 1973

Reference: C04130

Address: 2 Dollis Road N3

Description: Erection of two-storey rear extension and alteration of existing access.

Decision: Refused

Decision date: 11 December 1972

3. Proposal

The application proposes the demolition of the existing semi-detached dwelling house and erection of a new three storey development with accommodation in the roof space. It will provide seven self-contained residential flats.

The proposed building extends a width of 16 metres facing Dollis Road, before extending into a tower turret/bay feature as the plot angles. Facing Crescent Road, the building has a width of 9.9 metres, before extending to follow 12 metres to follow the line of the plot angle. Adjacent to the boundary of No. 4 Dollis Road, the building would have a depth of 8.3 metres.

The land rises as Dollis Road progresses south easterly towards the roundabout. The building has an eaves height of 7.8 metres adjacent to No. 4 Dollis Road, with a ridge height of 11.3 metres. At its highest point the building has an eaves height of 7.9 metres and maximum height of 13 metres.

The development would provide 4 off street parking spaces, cycle and refuse/recycling storage and communal garden, in addition to external balconies.

4. Public Consultation

A site notice was erected 10 May 2018.

Consultation letters were sent to 202 neighbouring properties.

26 responses have been received, comprising 19 letters of objection, 6 letters of support and 1 letters of comment.

The representations received can be summarised as follows:

- Concerns with under provision of parking and impact on highways and parking, in addition to the safety of pedestrians, school children and road users. Concerns included safety of the roundabout and exiting/entering the proposed parking spaces. Reports of cars being broken into.
- Objections have referred to Council's plans to reduce on-street parking spaces to make better provision for bus stops.
- There is loss of 2 parking spaces because of wider access to the new development, so in essence only two additional parking spaces are being proposed to cater for 7 flats which is clearly inadequate.
- Errors/flaws with submitted transport assessment including:

"Transport plan for the proposed development and the application proposal seem to create intentional misdirection or serious errors in the calculation of parking requirements. The proposal suggests the creation of 4no parking spaces however the plan actually removes 2no on street parking spaces. The current development has 2no spaces so the net result of this proposal is net 0no parking spaces with 6 additional dwellings. In addition the parking survey was conducted on Wednesday and Thursday night and it is stated that this is peak parking time. Due to the proximity of the site to the tube station and local restaurants, peak parking is actually on Friday and Saturday evening. While I hate to object to the creation of much needed additional dwellings on the grounds of parking, this proposal does not meet its own stated parking provision aims."

"The parking survey conducted on the 7th and 8th March confirmed there were either ZERO or two free parking spaces available of a night on Dollis Road. With the proposed Dollis Road crossovers, reducing the available spaces by two, some residents may already be forced to park on other streets. This situation will be made worse by the additional cars parking on the street from the proposed development"

"The parking assessment is flawed as it does not take into consideration the impact from other consented developments in close vicinity or previously submitted planning applications e.g. the in process building of 34 self contained flats within Adastra Hse on Nether St and the recent application for 3 self contained flats at 276 Nether St. This is contrary to the 'Lambeth Methodology' referenced, which states, 'The cumulative effect of other consented development in the immediate area will also need to be taken into account when assessing the effect of parking on the street.' The Transport Assessment does not do this."

"The parking survey was based on a 200metres walk from dwelling to parking space being acceptable based on the Lambeth Methodology. The only available parking in the study was all shown to be at the top end of Dollis Road, which you should be aware is a long road. Given the already serious parking pressures on Dollis Road, any overspill from the proposed development could result in Dollis Road residents having to walk greater than 200metres to find a parking space. This is completely unacceptable, and puts residents welfare beneath the profits of commercial developers."

- Construction work must not carry on during peak hours
- Concerns with pressure on drainage and services
- Loss of family homes
- Impact of building on character and appearance of the street scene and area; concerns including size, scale, height, design feature of the bay/tower.
- Photographs provided misleading
- Noise and disturbance to residents from construction activities
- Comments on new owners intentions
- How much more "space" will the development take up as the garden section goes into a sharp triangle due to road layouts?
- It will cause loss of privacy for the single storey bungalow diagonally opposite it, causing overlooking into the garden and bedrooms. The panoramic photos shown in the development proposal have distorted scale and distances between the proposed development site and neighbouring flats and have failed to show the single story bungalow that will be affected.
- Impact on sunlight and daylight on surrounding properties
- 7 flats replacing one house is overdevelopment with loss of a large part of its garden. 4 floors with an additional pitched roof on top will be out of scale with neighbouring properties.
- Concerns of refuse and dumping. Link to transiency of renters

Objection made on behalf of Crescent Rise Management (Finchley) Ltd: Parking pressure and concerns that occupiers of the proposed development will use parking areas at Crescent Rise. If the application is allowed without providing at least one off-road parking space for each flat, we consider that the developer should be required to provide a capital sum sufficient to enable us to install an automated barrier at the entrance to our drive, plus sufficient to cover maintenance and renewals for the next thirty years. These funds should be paid to us, or placed in escrow with the Council or an agreed solicitor, before work on site is allowed to start.

Comment on behalf of the Finchley Society: "Without objecting to the application, the Society asks the Council, if it approves the proposal, to make it a condition that parking permits will not be granted to residents. That should go some way to meeting the objections that have been recorded."

Support:

- Small developments like this suitable for elderly people downsizing. Accessible and close to amenities with a lift.
- Improve appearance of the corner. Additional gardens proposed. We must use urban areas to provide the housing needed. In doing so we will save the green belt and natural wildlife in the country side which are under constant threat from developments being pushed outside the cities.

- We need more small blocks of flats in the area for young families who cannot afford a large house. A second resident supported this view.
- Sufficient parking available
- A well designed building that is in sympathy with other properties in the area. The current garden area has been kept. Some additional parking spaces have been provided which I believe will be adequate. It will provide much needed accommodation close to good transport links and other local amenities.
- It is clearly that there is a much higher demand for storage and residential need, but not really parking issues especially where the tube is only a short walking distance away and with many bus routes to town.
- In addition, around the site there are currently nine parking spaces (two will be removed to be replaced for the cross-over) and four new parking will be added on site.
- It is very welcome to learn that this proposal for a new built (rather than a conversion...) is with a design that is in keeping with the character of the area, yet provide fresh highest standards quality new housing suitable for all; people with disabilities, old people, and young couples as the new built will incorporate a lift, private balconies, private gardens, communal garden retained and mixture of different sized flats.

It is noted that one letter of support has an incomplete address.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to

examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

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

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

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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:

- Whether principle of redevelopment is acceptable
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future occupiers
- Whether the development would impact the highways and parking

5.3 Assessment of proposals

Principle of redevelopment:

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the demolition of the existing dwelling house and replacement with a three storey development of 7 self-contained residential units.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. It is not a designated heritage asset. The land is located within walking

distance of a number of bus stops, is close to local amenities and utilises existing access from Dollis Road and Crescent Road.

Sited at this junction there are numerous flatted developments in the immediate locality and as such, the principle of self-contained units is not objected to. It would not result in a loss of residential accommodation, and would represent a net increase of residential units. In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

Impact on character and appearance of the street scene and surrounding area:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The application site is located on the junction of Dollis Road and Crescent Road, as well as Nether Street.

In the immediate area there are examples of buildings of heights of three storeys or greater (Sheringham Court, Crescent Rise and 3 and 5 Crescent Road). The dwelling along Dollis Road are of a two storey height. The proposed building would be three storeys in height with rooms in the roof space. However, the land rises as Dollis Road progresses south-easterly towards the roundabout, and the building has designed with stepped roof form to follow and continue the rhythm and increase of the ridge heights.

The proposed building would reflect the bay/turrets as observed on the surrounding properties. The building would follow the front and rear building lines of the properties along Dollis Road.

Planning Officers recognise that the development would result in an increase in built form, mass and bulk on the site. The development therefore requires landscaping to provide a setting for the building. As there is limited space on site to achieve this, it will be offset through contributions (secured through a legal agreement) to street tree planting around the building to provide a setting.

For the above reasons, it is considered that the proposed development would respect the appearance, scale, mass, height and pattern of surrounding buildings, in accordance with Policy DM01.

Impact on amenity of neighbouring occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

The existing dwelling adjoins Number 4 Dollis Road. The new building would be built off the boundary. It would follow the general front building line of Dollis Road. It would not project significantly beyond the rear main wall of No. 4 Dollis Road. The balconies facing Crescent Road are indicated to have 1.8 metre high obscure glass screen.

The development will be greater in height than the existing building. Due to the orientation of the properties, the development would cause a degree of overshadowing, but this would be confined mainly to the mornings of the summer months.

As such, it is not considered the building would harm the amenity of neighbouring occupiers to an unacceptable level.

Impact on amenity of future occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers.

Policy DM02 of Barnet's Development Management Policies Document DPD (2012) identifies standards that development will be expected to meet in relation to a number of matters, including the internal floor space of new dwellings and outdoor amenity space. The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance updated 2016) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

The proposed units would meet the relevant minimum floorspace standards as set out in London Plan Policy 3.5. They would all provide a minimum ceiling height of 2.3 metres in line with Policy 3.5.

All units would provide adequate outlook, light and privacy, subject to conditions.

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that flats should be provided with 5 sqm of outdoor amenity space per habitable room. The ground floor units are provided with their own garden areas which exceed these requirements. Combining the balconies and communal garden area, Officers are satisfied the requirements for the upper floor flats are met.

Overall, the development meets the relevant policy in regards to amenity and living conditions.

Highways and parking:

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms);
- ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

It states that

2. Residential development may be acceptable:

- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
- ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

A Highways Officer has assessed the application and stated:

"The proposal is for demolition of the existing single family dwelling and the construction of a three storey building accommodating 7 self-contained units comprising of 3x1bed, 3x2bed and 1x3bed self-contained units. The applicant is proposing to make provision for 4 off-street car parking spaces including 1 disabled car parking space.

The site lies within a PTAL 4 site, which is considered as good public transport accessibility. Controlled parking zone CE is in operation in the vicinity of the site Mon-Fri between 2pm-3pm.

In accordance with requirements set out on Policy DM17 of the London Plan, for a site such as this the car parking provision requirement should be 6 off street car parking spaces.

The applicant has provided a car parking beat survey which demonstrates that although parking demand in the vicinity of the site is high, there is possible availability to accommodate the potential overspill of parking that may result from the proposed development."

5.4 Response to Public Consultation

- Concerns with under provision of parking and impact on highways and parking, in addition to the safety of pedestrians, school children and road users. Concerns included safety of the roundabout and exiting/entering the proposed parking spaces. Reports of cars being broken into.

The application has been assessed by a highways officer, who has deemed the parking space provision sufficient in accordance with Policy DM17.

It is not considered that the development would worsen the safety of pedestrians or road users.

Cars being broken into are not a planning matter.

- Objections have referred to Council's plans to reduce on-street parking spaces to make better provision for bus stops.

The highways officer has been advised by our public transport officer that consultations are taking place for the proposal for 2 additional bus stop cages on Dollis Road. However, no approval has been given as yet and as you are aware when assessing an application, only the existing situation can be taken into account. Therefore the proposal for the provision of 2 additional bus cages in future could not be included in the Transport Statement.

- There is loss of 2 parking spaces because of wider access to the new development, so in essence only two additional parking spaces are being proposed to cater for 7 flats which is clearly inadequate.

The proposed 3 off-street car parking spaces on Dollis Road and the proposed vehicular accesses are acceptable on highways grounds as the loss of on-street car parking spaces is being offset by the off-street provision and therefore there is no new loss in parking.

- Errors/flaws with submitted transport assessment including:
 - "Transport plan for the proposed development and the application proposal seem to create intentional misdirection or serious errors in the calculation of parking requirements. The proposal suggests the creation of 4no parking spaces however the plan actually removes 2no on street parking spaces. The current development has 2no spaces so the net result of this proposal is net 0no parking spaces with 6 additional dwellings. In addition the parking survey was conducted on Wednesday and Thursday night and it is stated that this is peak parking time. Due to the proximity of the site to the tube station and local restaurants, peak parking is actually on Friday and Saturday evening. While I hate to object to the creation of much needed additional dwellings on the grounds of parking, this proposal does not meet its own stated parking provision aims."

The proposed 3 off-street car parking spaces on Dollis Road and the proposed vehicular accesses are acceptable on highways grounds as the loss of on-street car parking spaces is being offset by the off-street provision and therefore there is no new loss in parking.

- "The parking survey conducted on the 7th and 8th March confirmed there were either ZERO or two free parking spaces available of a night on Dollis Road. With the proposed Dollis Road crossovers, reducing the available spaces by two, some residents may already be forced to park on other streets. This situation will be made worse by the additional cars parking on the street from the proposed development"

The days and hours during which the survey has been undertaken are acceptable as they coincide with the hours within which residents are most likely to be at home, which would show the highest parking demand on the road.

- "The parking assessment is flawed as it does not take into consideration the impact from other consented developments in close vicinity or previously submitted planning applications e.g. the in process building of 34 self contained flats within Adastra Hse on Nether St and the recent application for 3 self contained flats at 276 Nether St. This is contrary to the 'Lambeth Methodology' referenced, which states, 'The cumulative effect of other consented development in the immediate area will also need to be taken into account when assessing the effect of parking on the street.' The Transport Assessment does not do this."

A Highways officer has reviewed their records for consulted applications in the immediate area and do not believe the highways impacts of these application are significant enough to warrant the submitted Transport Assessment supporting this application to be revised/amended.

- "The parking survey was based on a 200metres walk from dwelling to parking space being acceptable based on the Lambeth Methodology. The only available parking in the study was all shown to be at the top end of Dollis Road, which you should be aware is a

long road. Given the already serious parking pressures on Dollis Road, any overspill from the proposed development could result in Dollis Road residents having to walk greater than 200metres to find a parking space. This is completely unacceptable, and puts residents welfare beneath the profits of commercial developers."

The Transport Assessment was undertaken in accordance in line with the Lambeth Methodology.

- Construction work must not carry on during peak hours due to highways safety. Noise and disturbance to residents from construction activities

Construction sites can cause an inevitable level of noise, disturbance and vehicle movements. Much of this is unavoidable due to the nature of the work. The Control of Pollution Act 1974 gives the Environmental Health special powers to control noise on construction and demolition sites.

The permitted hours of work when noise can be audible at a construction site boundary are:

- Monday to Friday, 8am to 6pm
- Saturday, 8am to 1pm
- Sunday and Bank Holidays, no work allowed

Any noisy operations outside these hours cannot be undertaken without prior approval of the department and permission is only granted in exceptional circumstances e.g. emergency works.

In the absence of clear policy or legislation, it is unreasonable to restrict vehicle movements or activity in peak hours, in this particular instance. Notwithstanding this, details of logistics this will be secured through a condition.

- Concerns with pressure on drainage

Thames Water have been consulted. They have recommended a number of informatives, some of which related to drainage, which have been attached to this decision.

- Loss of family homes

Policy DM01 of Barnet's Development Management Policies Document DPD (20120 states: "Loss of houses in roads characterised by houses will not normally be appropriate" and "Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate". The area is mixed in character and includes many flat developments in the immediate area. As such, the loss of a dwelling house and its replacement with flats is not considered out of character.

- Impact of building on character and appearance of the street scene and area; concerns including size, scale, height, design feature of the bay/tower.

As discussed in the main body of the report, its considered by way of its design and form, the proposed building would respect the appearance, scale, mass, height and pattern of surrounding buildings, in accordance with Policy DM01. It is not considered overdevelopment of the site.

- Photographs provided misleading

The Planning Officer has undertaken a site visit and has assessed the application based on their own photographs and site inspection.

- Comments on new owners intentions

This is not matter for planning.

- How much more "space" will the development take up as the garden section goes into a sharp triangle due to road layouts?

The development proposes a communal garden in the same location as the existing dwelling's garden, which would retain a degree of openness on this corner plot.

- It will cause loss of privacy for the single storey bungalow diagonally opposite it, causing overlooking into the garden and bedrooms. The panoramic photos shown in the development proposal have distorted scale and distances between the proposed development site and neighbouring flats and have failed to show the single story bungalow that will be affected.

No exact address of the said bungalow has been provided. Upon a site inspection it is not clear what property is being referenced to. Notwithstanding this, the new building would be sited in a similar location (albeit of a larger size) than the existing dwelling. The existing building has windows facing properties on Dollis Road and Crescent Road. This would remain the case. Although there would be an additional number of windows and new balconies (at a higher level), by way of the road(s) separating the properties opposite, it is not considered they would overlook gardens or rooms to an unacceptable level.

- Impact on sunlight and daylight on surrounding properties

The building would sited adjacent to No. 4 Dollis Road. Due to the orientation of the properties, the development would cause a degree of overshadowing to this property, but this would be confined mainly to the mornings of the summer months. Officers do not foresee how any other properties would be detrimentally affected in regards to daylight and sunlight.

- Concerns of refuse and dumping. Link to transiency of renters

There is no planning mechanism within which to stipulate whether units granted planning permission are owner-occupied or tenanted. As such this cannot constitute a reason for refusal.

The development would be provided with dedicated refuse and recycling storage. Officers do not foresee how this particular development would result in an increase of dumping further down Dollis Road.

If residents have concerns with dumping they should contact the Planning Enforcement or Environmental Health departments at the Council.

- Objection made on behalf of Crescent Rise Management (Finchley) Ltd: Parking pressure and concerns that occupiers of the proposed development will use parking areas at Crescent Rise. If the application is allowed without providing at least one off-road parking space for each flat, we consider that the developer should be required to provide a

capital sum sufficient to enable us to install an automated barrier at the entrance to our drive, plus sufficient to cover maintenance and renewals for the next thirty years. These funds should be paid to us, or placed in escrow with the Council or an agreed solicitor, before work on site is allowed to start.

It is unreasonable for the local authority to expect the applicant to fulfil this request. No part of the Government's Planning Practice Guidance would support this request.

- Comment on behalf of the Finchley Society: "Without objecting to the application, the Society asks the Council, if it approves the proposal, to make it a condition that parking permits will not be granted to residents. That should go some way to meeting the objections that have been recorded."

The application has been assessed by a highways officer, who has deemed the parking space provision sufficient in accordance with Policy DM17. Therefore, there would be no requirement to remove the right for parking permits in this particular instance. Furthermore, the site is located in a Controlled Parking Zone which limits parking to resident only between Monday to Friday 2-3 pm. Removing the right to parking permits would therefore have limited effect on such times as evening parking, which the majority of objections to this planning application seem to focus on.

The comments of support are noted.

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 street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring or future occupiers, and would not impact the highways network. This application is therefore recommended for approval.

