LOCATION: Dollis Valley Estate (Phase 3) Barnet EN5 2TS

REFERENCE: 18/5561/S73  Received: 14 Sep 2018
            Accepted: 18 Sep 2018
WARD: Underhill  Expiry: 18 Dec 2018

APPLICANT: Mr Robin Williamson

PROPOSAL: Variation of Condition 1 (approved drawings) to facilitate minor changes to unit mix, numbers and other minor amendments for Phase 3 of Dollis Valley Estate in relation to Reserved Matters application, reference 17/5168/RMA, seeking approval of landscaping, appearance, scale, access and layout for Phase 3 of the Dollis Valley Regeneration pursuant to Condition 7 of the hybrid planning permission reference B/00354/13 dated 01/10/2013 involving the erection of 117 residential dwellings (Use Class C3) comprising 61 houses and 56 apartments, including associated infrastructure, car parking and landscaping, together with details to discharge the requirements of the following conditions: 6 Phasing and Implementation Strategy, 7 Reserved Matters to be submitted per Phase, 39 Childrens Play Space, 48 Archaeology, 53 Sound insulation, 89 Daylight, sunlight and overshadowing assessment.

APPLICATION SUMMARY

The Dollis Valley Estate is designated as one of the Council’s Priority Housing Estates for Regeneration in its Local Plan (Core Strategy) Development Plan Document (2012). It forms part of Barnet’s Place Shaping Strategy and the Three Strands Approach ‘Protection, Enhancement and Growth’ which seeks to guide regeneration in the Borough.

There is a recognised need for physical improvements to the Estate in order to tackle the poor quality built environment and the current isolation of the estate from the surrounding area as well as its ability to deliver new housing and create a new revived neighbourhood.

The redevelopment of the Estate (along with other similar housing estates within the Borough) has been a longstanding priority for the Council for many years. In 2011, following a competitive dialogue process, Countryside Properties (CP) and London and Quadrant Housing Trust (L&Q) were selected as Barnet Council’s preferred
A hybrid planning application was granted in October 2013 under planning application B/00354/13 for the redevelopment of the Dollis Valley Estate and comprising for the redevelopment of Dollis Valley Estate to accommodate up to 631 residential units, replacement community space, new open space and infrastructure. The application was submitted in a part outline/ part detailed form (referred to as a ‘hybrid’ application), with detailed permission being sought for Phase 1 of the development comprising of 108 residential units, the new community space and associated café and nursery and associated public open space, road network and parking and outline permission for Phases 2-5 comprising the balance of 523 residential units and associated road network, open space provision and parking.

The outline element of the hybrid planning permission approved a masterplan and a series of plans for the development which established the siting of the new buildings, landscaping, the points of access and road layout. The scale of the buildings, external appearance and landscaping were ‘reserved’ for future consideration.

Reserved Matters Approval for the development of Phase 3 of the Dollis Valley regeneration was granted under planning application reference 17/5168/RMA dated 16th January 2018 involving the erection of 117 residential dwellings (Use Class C3) comprising 61 houses and 56 apartments, including associated infrastructure, car parking and landscaping.

The current application is for a minor material amendment to the above reserved matters application to allow for the following changes:

1. 4 bed houses changed to 3 storey apartment block (12) – DV7e houses reduced from 5 to 4;
2. 4 bed affordable houses relocated;
3. 4 bed houses changed to 3 bed houses;
4. 3 bed houses changed to 3 storeys apartment block (13);
5. DV1b changed to DV1c and shifted to attached to DV1c row;
6. Two DV15a added – Parking courtyard created with 8 spaces – Two DV7e removed, the DV1c shifted toward DV7e;
7. Two DV5 changed to one DV14 and shifted toward DV14.
8. • Increase in total number of units proposed within Phase 3 from 117 to 135.

The proposed changes are considered acceptable in principle, raising no significant planning implications and will help to ensure that the regeneration of the Dollis Valley Estate to be delivered and contribute to the objective of creating a new, mixed and balanced communities comprising new private sale homes as well as affordable housing that will bring social, economic and environmental benefits to the surrounding area.
RECOMMENDATION 1:

The Committee grants delegated authority to the Service Director Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions 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 2:  Approve Subject to Conditions

APPROVED DRAWINGS

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

Masterplan Plans
- CPL-DOL_HTA-A_D01-XX-DR_0001
- CPL-DOL_HTA-A_D01-XX-DR_0002
- CPL-DOL_HTA-A_D01-XX-DR_0003
- CPL-DOL_HTA-A_D01-XX-DR_0004
- CPL-DOL_HTA-A_D01-XX-DR_0100 REV A
- CPL-DOL_HTA-A_D01-XX-DR_0101 REV A
- CPL-DOL_HTA-A_D01-XX-DR_0102 REV A
- CPL-DOL_HTA-A_D01-XX-DR_0103 REV A
- CPL-DOL_HTA-A_D01-XX-DR_0104 REV A
- CPL-DOL_HTA-A_D01-XX-DR_0105 REV A

Masterplan Sections
- CPL-DOL_HTA-A_D01-S1-DR_0106 REV A
- CPL-DOL_HTA-A_D01-S1-DR_0107 REV A
- CPL-DOL_HTA-A_D01-S1-DR_0108 REV A
- CPL-DOL_HTA-A_D01-S1-DR_0109 REV A

GA Houses
- CPL-DOL_HTA-A_DV-1B-DR_0200 REV A
- CPL-DOL_HTA-A_DV-1C-DR_0201 REV A
- CPL-DOL_HTA-A_DV-5-DR_0203 REV A
- CPL-DOL_HTA-A_DV-7E-DR_0204 REV A
- CPL-DOL_HTA-A_DV-7E-DR_0205 REV A
- CPL-DOL_HTA-A_DV-11A-DR_0206 REV A
- CPL-DOL_HTA-A_DV-11B-DR_0207 REV A
- CPL-DOL_HTA-A_DV-12-DR_0208 REV A
- CPL-DOL_HTA-A_DV-14-DR_0209 REV A
- CPL-DOL_HTA-A_DV-15A-DR_0210 REV A
- CPL-DOL_HTA-A_DV-15A-DR_0211 REV A
Block 4 - GA
CPL-DOL_HTA-A_B4-XX-DR_0212
CPL-DOL_HTA-A_B4-B1-DR_0213
CPL-DOL_HTA-A_B4-00-DR_0214
CPL-DOL_HTA-A_B4-01-DR_0215
CPL-DOL_HTA-A_B4-02-DR_0216
CPL-DOL_HTA-A_B4-03-DR_0217
CPL-DOL_HTA-A_B4-R1-DR_0218
CPL-DOL_HTA-A_B4-E1-DR_0219
CPL-DOL_HTA-A_B4-E2-DR_0220
CPL-DOL_HTA-A_B4-S1-DR_0221

Block 6 – GA
PL-DOL_HTA-A_B6-XX-DR_0222
CPL-DOL_HTA-A_B6-00-DR_0223
CPL-DOL_HTA-A_B6-01-DR_0224
CPL-DOL_HTA-A_B6-02-DR_0225
CPL-DOL_HTA-A_B6-03-DR_0226
CPL-DOL_HTA-A_B6-R1-DR_0227
CPL-DOL_HTA-A_B6-E1-DR_0228
CPL-DOL_HTA-A_B6-E2-DR_0229
CPL-DOL_HTA-A_B6-S1-DR_0230

Block 12 - GA
CPL-DOL_HTA-B12-XXDR_0231
CPL-DOL_HTA-B12-00-DR_0232
CPL-DOL_HTA-B12-01-DR_0233
CPL-DOL_HTA-B12-02-DR_0234
CPL-DOL_HTA-B12-R1-DR_0235
CPL-DOL_HTA-B12-E1-DR_0236
CPL-DOL_HTA-B12-E2-DR_0237
CPL-DOL_HTA-B12-S1-DR_0238

Block 13 - GA
CPL-DOL_HTA-B13-XXDR_0239
CPL-DOL_HTA-B13-00-DR_0240
CPL-DOL_HTA-B13-01-DR_0241
CPL-DOL_HTA-B13-02-DR_0242
CPL-DOL_HTA-B13-R1-DR_0243
CPL-DOL_HTA-B13-E1-DR_0244
CPL-DOL_HTA-B13-E2-DR_0245
CPL-DOL_HTA-B13-S1-DR_0246

MASTERPLAN DRAWINGS
CPL-DOL_HTA-L_D01-XX_DR_4900A
CPL-DOL_HTA-L_D01-XX_DR_4901A
CPL-DOL_HTA-L_D01-XX_DR_4902A
CPL-DOL_HTA-L_D01-XX_DR_4903A

DETAILED PLANTING
CPL-DOL_HTA-L_D01-XX-DR_4940A
SUPPORTING DOCUMENTS
Design and Access Statement Addendum
Updated Planning Supported Statement
Updated External façade sound insulation report
Updated Daylight and Sunlight assessment and overshadowing assessment

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1980 (or any Order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever.

Reason: To ensure that the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

3. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no additional windows or doors shall be inserted into any of the residential dwellings hereby approved, other than those expressly authorised by this permission.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties and to safeguard the character of the locality in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority
can control the development in the area so that it accords with policy DM01 and DM18 of the Adopted Barnet Development Management Policies DPD (2012).

5. Prior to commencement of the development hereby permitted, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on the roof of all apartment blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason: To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the townscape and character of the area, so that it accords with policies CS5 and DM01 Barnet Local Plan.

6. Prior to the commencement of the development hereby approved, details of architectural features within this phase shall be submitted at the appropriate scale (1:10/ 1:20) to the Local Planning Authority and agreed in writing. These details shall be in general accordance with the principles outlined at page 33 of the Reserved Matters Design and Access Statement section 9.2 Materials and Details - Apartment Blocks (as amended and received 17/07/2014). These details should include (but are not limited to):

- Balconies and balustrades (including soffit details)
- Roof parapets
- Entrances to apartment blocks
- Apartment block building splays
- Porches
- Window reveals
- Dormer Windows
- Location and design of rainwater goods
- Brick detailing on car park

The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

7. The details required to be submitted under condition 38 (Hard and Soft Landscaping) of the Hybrid Planning Permission B/00354/13 in relation to this phase shall be in general accordance with the principles outlined in Section 12.7 Streetscape Character (page 102 amended 21/07/2014) of the Phase 2 Design and Access Statement and the indicative planting strategy illustrated on drawing SK-140716-01 dated 16.07.2014.
Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

8. Before the development hereby permitted is occupied the car parking spaces for phase Three as shown on Drawing No. CPL-DOL_HTA-A_D01-XX-DR_0102 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the 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.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet’s Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

Officers have considered the development proposals very carefully against the relevant policy criteria and have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is therefore considered to comply with the requirements of the development plan.
National Planning Policy Framework 2018

The 2018 NPPF was adopted in July 2018, replacing the 2012 NPPF. The NPPF sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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 also states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor’s overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

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

The London Plan (March 2016)

The London Plan (consolidated with alterations since 2011) was adopted in March 2016 and is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004).

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 Relevant Policies are as follows:

- Policy 1.1 - Delivering the Strategic Vision and Objectives for London
- Policy 2.6 - Outer London: Vision and Strategy
- Policy 2.7 - Outer London: Economy
- Policy 2.8 - Outer London: Transport
- Policy 2.15 - Town Centres
- Policy 2.18 - Green Infrastructure: the Network of Open and Green Spaces
- Policy 3.1 - Ensuring Equal Life Chances for All
Policy 3.2 - Improving Health and Addressing Health Inequalities
Policy 3.3 - Increasing Housing Supply
Policy 3.4 - Optimising Housing Potential
Policy 3.5 - Quality and Design of Housing Developments
Policy 3.6 - Children and Young People’s Play and Informal Recreation Facilities;
Policy 3.8 - Housing Choice
Policy 3.9 - Mixed and Balanced Communities
Policy 3.10 - Definition of Affordable Housing
Policy 3.11 - Affordable Housing Targets
Policy 3.12 - Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
Policy 3.13 - Affordable Housing Thresholds
Policy 3.16 - Protection and Enhancement of Social Infrastructure
Policy 3.19 - Sports Facilities
Policy 4.1 - Developing London’s Economy
Policy 4.2 - Offices
Policy 4.3 - Mixed Use Development and Offices
Policy 4.4 - Managing Industrial Land and Premises
Policy 4.6 - Support For and Enhancement of Arts, Culture, Sport and Entertainment Provision
Policy 4.10 - Support New and Emerging Economic Sectors
Policy 4.12 - Improving Opportunities for All
Policy 5.1 - Climate Change Mitigation
Policy 5.2 - Minimising Carbon Dioxide Emissions
Policy 5.3 - Sustainable Design and Construction
Policy 5.5 - Decentralised Energy Networks
Policy 5.6 - Decentralised Energy in Development Proposals
Policy 5.7 - Renewable Energy
Policy 5.8 - Innovative Energy Technologies
Policy 5.9 - Overheating and Cooling
Policy 5.10 - Urban Greening
Policy 5.12 - Flood Risk Management
Policy 5.13 - Sustainable Drainage
Policy 5.14 - Water Quality and Wastewater Infrastructure
Policy 5.15 - Water Use and Supplies
Policy 5.16 - Waste net Self-Sufficiency
Policy 5.17 – Waste Capacity
Policy 5.21 - Contaminated Land
Policy 6.1 - Strategic Approach
Policy 6.2 - Promoting Public Transport Capacity and Safeguarding Land for Transport
Barnet London Borough Local Plan
The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan policies are most relevance to the determination of this application are set out below.

Core Strategy (Adopted 2012):
- Policy CS NPPF - National Planning Policy Framework–Presumption in favour of sustainable development
- Policy CS1 - Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach
- Policy CS3 - Distribution Of Growth In Meeting Housing Aspirations
- Policy CS4 - Providing Quality Homes and Housing Choice in Barnet
- Policy CS5 - Protecting and enhancing Barnet’s character to create high quality places
- Policy CS6 - Promoting Barnet’s Town Centres
• Policy CS7 - Enhancing and Protecting Barnet’s Open Spaces
• Policy CS8 - Promoting a Strong and Prosperous Barnet
• Policy CS9 - Providing safe, effective and efficient travel
• Policy CS10 - Enabling inclusive integrated community facilities and uses
• Policy CS11 - Improving health and wellbeing in Barnet
• Policy CS12 - Making Barnet a Safer Place.
• Policy CS13 - Ensuring the efficient use of natural resources
• Policy CS14 - Dealing with our waste
• Policy CS15 - Delivering the Core Strategy

Development Management Policies (Adopted 2012):
• Policy DM01 - Protecting Barnet’s character and amenity
• Policy DM02 - Development standards
• Policy DM03 - Accessibility and Inclusive Design
• Policy DM04 - Environmental considerations for development
• Policy DM06 - Barnet’s Heritage and Conservation
• Policy DM08 - Ensuring a Variety of Sizes of New Homes to Meet Housing Need.
• Policy DM10 - Affordable Housing Contributions
• Policy DM11 - Development Principles for Barnet’s Town Centres
• Policy DM13 - Community and education uses
• Policy DM14 - New and Existing Employment Space
• Policy DM15 - Green Belt and open spaces
• Policy DM16 - Biodiversity
• Policy DM17 - Travel impact and parking standards

Supplementary Planning Documents and Guidance

The Council and the Greater London Authority in association with the Mayor of London have produced a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new developments within Barnet meets sufficiently high environmental and design standards. The below provides a list of policies relevant to the scheme.

Barnet Council:
• Sustainable Design and Construction (May 2016)
The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling...
facilities should follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

- **The Mayor’s Climate Change Mitigation and Energy Strategy (October 2011)**
  The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

- **Accessible London: Achieving an Inclusive Environment (April 2004)**
  The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

- **Planning for Equality and Diversity in London (October 2007)**
  This guidance sets out sets out some of the overarching principles that should guide planning for equality in the London context

- **Planning Obligations (April 2013)**
  The Planning Obligations SPD focuses on when Planning Obligations will be required and the relationship with CIL. It sets the requirements for different scales of development as well as the procedural process for delivering a legal agreement.

- **Residential Design Guidance (October 2016)**
  This provides a clear and consistent message on how we manage change within Barnet’s suburbs. The SPD consolidates and updates the existing framework for residential design which mainly focused on improvements to the existing housing stock (Design Guidance Notes on Extensions, Conversions, Porches, and Hardstandings and Vehicular Crossovers). Thereby providing a more detailed residential design guidance issues relevant to Barnet such as local character, density, built form, car parking and amenity space standards connected with new build development. Through these changes the SPD sets out the local priorities for protecting and enhancing Barnet’s character, providing a local reference point that is in keeping with national guidance on good design.

**Greater London Authority**

- **Affordable Housing & Viability (August 2017)**
  The Mayor’s long-term aim is for half of all new homes to be affordable. The SPD offers an ambitious and practical first step to raise the amount of affordable housing coming through the planning system ahead of the new London Plan in 2019. It will also ensure that development appraisals are robustly and consistently scrutinised as well as speeding up the planning process for those
schemes which are delivering more affordable homes.

- **Housing (March 2016)**
  This provides guidance on a range of strategic policies including housing supply, residential density, housing standards, build to rent developments, student accommodation and viability appraisals.

- **Sustainable Design and Construction (April 2014)**
  This document provides practical guidance on sustainable technologies and practices such as urban greening, pollution control, decentralised energy, how to offset carbon dioxide where the targets set out in the London Plan are not met and basements policy and developments.

- **The Mayor’s Climate Change Mitigation and Energy Strategy (October 2011)**
  The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

- **All London Green Grid (March 2012)**
  This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, it aims to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

- **Streets Manual TFL(March 2007)**

- **Technical Housing Standards (March 2015)**
  This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

- **All London Green Grid (March 2012)**
  This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, it aims to encourage boroughs, developers, and communities to collectively increase the
1.2 Relevant Site History

B/00354/13: Hybrid planning application for the redevelopment of Dollis Valley Estate to accommodate up to 631 residential units, replacement community space, new open space and infrastructure comprising: Outline permission for the demolition of existing buildings and the construction of up to 523 new residential units, together with new public open spaces, junction improvements to existing access onto Mays Lane, enhanced pedestrian, cycle and public transport facilities, car parking, infrastructure and other ancillary works. Detailed element (Phase 1) for the demolition of existing buildings (including the former Barnet Hill School, 131-135 Mays Lane and Barnet South Community Association Hall) and construction of 108 new residential units and 417sqm of non-residential (class D1 use) floorspace (new community centre and nursery space), together with new public open space, creation of new vehicular access from Mays Lane and new car parking, bike storage, infrastructure and other ancillary works. Submission of Environmental Statement. – Granted, 01/10/2013.

17/5168/RMA:- Reserved matters application seeking approval of landscaping, appearance, scale, access and layout for Phase 3 of the Dollis Valley Regeneration pursuant to Condition 7 of the hybrid planning permission reference B/00354/13 dated 01/10/2013 involving the erection of 117 residential dwellings (Use Class C3) comprising 61 houses and 56 apartments, including associated infrastructure, car parking and landscaping, together with details to discharge the requirements of the following conditions:
6 - Phasing and Implementation Strategy
7 - Reserved Matters to be Submitted per Phase
39 - Children's Play Space
48 - Archaeology
53 - Sound Insulation
89 - Daylight, sunlight and overshadowing assessment
Granted 16/01/2018.

1.3 Public Consultations and Views Expressed

Public Consultation

Letters were sent out to 1550 addresses on the 17th October 2018. The application was also advertised by Site Notice on the 19th September 2018 and in the Barnet Press on the 27th September 2018. As a result of this consultation, one letter of representation neither objecting or supporting the proposal, making the following comments:
Firstly I would like to say as I am bound to by sneaky small print covenants (thanks Barnet council) that this is not an objection this is a neutral comment as submitted. As a home owner and investor in this area I have sunk a considerable amount of money into this development.

The proposal submitted I believe considering the original planning, deviates heavily from the approved landscape strategy and that of the area I was originally investing in, the addition of more rabbit hutch style flats devalues investment from existing homeowners by overdeveloping and overpopulating the very small area of land, proper houses for home buying families are needed, else the estate degenerates into what it once was. The proposal submitted I believe considering the original planning, deviates heavily from the approved landscape strategy and that of the area I was originally investing in, the addition of more rabbit hutch style flats devalues investment from exist homeowners by overdeveloping and overpopulating the very small area of land, proper houses for home buying families are needed, else the estate degenerates into what it once was.

I do however agree with countryside properties that more housing should be private to allow a profit for them, I would say the entirety of housing should be made available for private ownership and private sale, the ethos of Barnet council in its planning resembles that of communist Russia, the quasi social housing/private housing mix in such a dense area has led to antisocial and fractured communities, in my view Barnet council and its partners have already failed in the regeneration of phases 1 and 2 and to put it simply if Barnet wishes to regenerate this area it needs to remove the source of the problem, that being social housing.

I would like the planning to be open to discussion as most of us who actually work in this area can find things like planning permission easy to miss.'

STATUTORY AND INTERNAL BODIES

- **Highways England**: No objection.
- **Transport for London**: Object to increase in number of car parking spaces by 7 and don’t consider cycle parking conforms to TfL Design Standards
- **Barnet Council’s Environmental Health Service Comments**: No objections
2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site is located in the north part of Barnet in the Underhill Ward. It lies within the valley south of Chipping/High Barnet and north of the Totteridge and the Dollis Valley Brook. It extends to an area of approximately 10.8 hectares, to the south of Mays Lane and comprises of the majority of the Dollis Valley Estate, built in 1967 on a historic sewage disposal site. It also includes Hammond Close and land to the west of the estate which was redeveloped under Phases 1 and 2.

The site is bounded by residential properties on all sides and the locality is predominantly characterised by two-storey dwellings of a modest scale. In the immediate surroundings streets are generally lined with terraced and semi-detached dwellings of a modest scale. Further north, towards the historic town centre of Chipping Barnet, larger detached and semi-detached dwellings of a diversity of sizes and ages are found.

The land referred to above as the Dollis Valley Estate originally consisted of several blocks of flats and maisonettes providing 436 units of which 103 have been demolished. The buildings range from 2-5 storeys and are mostly of pre-fabricated concrete construction with shallow pitched roofs. The estate’s main access and egress is from Dollis Valley Drive/ Dollis Valley Way, off Mays Lane, which forms a continuous loop around the main estate and connects to the smaller residential streets of Bryant Close, Crocus Field, Meadow Close and Rossiter Fields which are excluded from the site.

In addition to the residential units on the estate there is also the Rainbow Centre. Given the location of these facilities within the estate, they are not readily accessible to the wider community.

The levels fall from north to south. The slope is steepest in the northern part of the site and becomes gentler towards Dollis Brook. Despite the relatively wide gap in the Mays Lane street scene at the Dollis Valley Drive/ Way junction, the presence of mature trees and steepness of the slope mean there is little visual connection with the Estate from the north and pedestrian movement is secondary to the dominance of the road network.
The Dollis Valley Estate is designated as one of the Council’s Priority Housing Estates for Regeneration in its Local Plan (Core Strategy) Development Plan Document (2012). The Estate is identified in the Council’s 2012 adopted Local Plan - Core Strategy Development Plan Document (DPD) as one of the Priority Housing Estates for regeneration. It also forms part of the Barnet’s Place Shaping Strategy, the Three Strands Approach ‘Protection, Enhancement and Growth’ which seeks to guide regeneration in the Borough. Therefore there is a recognised need for physical improvements to the Estate in order to tackle the poor quality built environment and the current isolation of the estate from the surrounding area as well as its ability to deliver new housing.

The redevelopment of the Estate (along with other similar housing estates within the Borough) has been a longstanding priority for the Council for many years. A development partner (Warden Housing Association) was selected in 2003 to deliver the regeneration of the site involving redevelopment to provide new homes (affordable rented, shared ownership and private sale) together with new community facilities and the rebuild and expansion of the Barnet Hill primary school.

In 2011, following a competitive dialogue process, Countryside Properties (CP) and London and Quadrant Housing Trust (L&Q) were selected as Barnet Council’s preferred development partner for the regeneration of the Dollis Valley Estate. The proposals developed by CP aimed to ensure that there was no reliance on public subsidy or affordable housing grant in order to deliver the scheme and were focused around the concept of a low density ‘garden suburb’ layout dominated by houses with private gardens with a traditional pattern of streets and spaces.

A hybrid planning application was submitted in January 2013 for: The redevelopment of the Dollis Valley Estate and comprising of the demolition of all existing buildings (440 residential units, retail and community buildings) within the defined planning application boundary and the:

- Construction of up to 631 new residential units to be provided as a mix of houses and flats with 230 for social rent, 20 intermediate units and 381 units for private sale;
- Provision of 417sqm of community space (Use Class D1) including the provision of a nursery;
- Provision of 3 new areas of open space totalling 3,485sqm;
- New access road from Mays Lane;
- Alterations to the Dollis Valley Drive junction with Mays Lane, the existing means of access to the site;
- New internal road network;
- Provision of a maximum of 788 parking spaces;
The application was submitted in a part outline/part detailed form (referred to as a ‘hybrid’ application), with detailed permission being sought for phase 1 of the development comprising of 108 residential units the new community space and associated café and nursery and associated public open space, road network and parking and outline consent for phases 2-5 comprising the balance of 523 new residential units and associated road network, open space provision and parking.

The Planning and Environment Committee resolved to grant planning permission subject to the completion of an associated S106 and Direction from the Mayor of London. The S106 was signed and the planning decision issued on the 1 October 2013 following confirmation from the Mayor of London that they did not wish to direct refusal.

Phase 3, the subject of this application, represents the smallest development phase area for the wider scheme covering an area of 1.8ha. It is bounded by the rear properties at Brent Place, Dollis Valley Way and Dollis Valley Drive. Reserved Matters approval for the development of this Phase has previously been granted under application 17/5168/RMA on the 16/01/2018.

2.2 Description of the Proposed Development

The application is for minor material amendments to the approved reserved matters for Phase 3 (application ref: 17/5168/RMA) of the Dollis Valley Estate Regeneration. The description of development is as follows:

“Variation of Condition 1 (approved drawings) to facilitate minor changes to unit mix, numbers and other minor amendments for Phase 3 of Dollis Valley Estate in relation to Reserved Matters application, reference 17/5168/RMA, seeking approval of landscaping, appearance, scale, access and layout for Phase 3 of the Dollis Valley Regeneration pursuant to Condition 7 of the hybrid planning permission reference B/00354/13 dated 01/10/2013 involving the erection of 117 residential dwellings (Use Class C3) comprising 61 houses and 56 apartments, including associated infrastructure, car parking and landscaping, together with details to discharge the requirements of the following conditions: 6 – Phasing and Implementation Strategy, 7 – Reserved Matters to be submitted per Phase, 39 – Children’s Play Space, 48 – Archaeology, 53 – Sound insulation, 89 – Daylight, sunlight and overshadowing assessment.”

The main changes that are the subject of this S.73 submission include:
• 4 bed houses changed to 3 storey apartment block (12) - DV7e houses reduced from 5 to 4.
• 4 bed affordable houses relocated.
• 4 bed houses changed to 3 bed houses.
• 3 bed houses changed to 3 storeys apartment block (13).
• DV1b changed to DV1c and shifted to be attached to DV1c row.
• Two DV15a added – Parking courtyard created with 8 spaces – Two DV7e removed, the DV1c shifted toward DV7e.
• Two DV5 changed to one DV14 and shifted towards DV14.
• Increase in total number of units proposed within Phase 3 from 117 to 135.

3. PLANNING CONSIDERATIONS

The main areas for consideration are:

- Principle of Minor Material Amendment
- Changes to Housing numbers and Housing Mix
- Design
- Amenities of future Occupiers
- Impact on Neighbouring Amenity
- Landscaping and Trees
- Sustainability
- Highways

**Principle of Minor Material Amendment (the s.73 application procedure)**

The National Planning Practice Guidance (NPPG) advises that a minor material amendment “is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”

Consideration needs to be given as to the effect of the amendments to the approved development, including whether it would:

- Result in a change that is minor in terms of its scale;
- Result in a change that is minor in terms of its impact on amenity and visual impact;
- Would comply with material planning considerations.

The principle of constructing amending the scheme in the form proposed would comply with the above requirements, as the total number of units approved in the outline approval would not change, rather the proposals would result in a minor redistribution of units between phases and also result in minor changes to the design and layout of
the scheme which again do not raise any fundamental changes to the nature of the development. The submission of a S73 is therefore considered appropriate.

**Changes to Housing numbers and Housing Mix**

The approved Phase 3 details comprised the development of 117 new homes, including 61 houses, and 56 apartments within two apartment blocks (4 and 6) (see Table 2). Of the 117 new homes, 74 were for private sale, 38 for affordable rent and five for intermediate. This represented a proportion of 37% affordable to 63% private. However, taking the approved Phases 1, 2 and 3 would provide an overall total of 40% affordable with the remaining 60% private housing.

In light of a change in market conditions, the proposed Phase 3 unit mix has been amended to uplift the number of smaller private homes, and a reduction in large sized private homes. This involves the addition of Blocks 12 and 13 providing a total of 16 units per block. The total number of new homes in Phase 3 would therefore increase to 135, an increase of 18. A comparison between the approved and proposed housing mix is set out in the table below.
The changes to Phase 3 allowing a greater number of private units to be brought forward earlier, has been supporting by the Council’s regeneration and housing officer, as necessary in order to improve the financial cash flow to ensure the delivery of this important regeneration scheme. The proposal would continue to provide a good mix of units including family units as required by Council Policy.

**Affordable Housing**

Policies 3.8 to 3.13 of the London Plan relate to affordable housing. Policy 3.11 states that the Mayor will, and boroughs and other relevant agencies and partners should,
seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing. Paragraph 173 of the NPPF imposes an obligation on Councils to ensure viability when setting requirements for affordable housing.

Policy 3.12 of the London Plan further seeks the maximum reasonable amount of affordable housing when negotiating on individual housing schemes but states that the objective is to encourage rather than restrain residential development.

Policy CS4 of Barnet’s Core Strategy states that the Council will seek 40% affordable on all sites capable of accommodating ten or more dwellings. In doing so, the Council will be seeking a 60/40 mix with 60% social renting and 40% intermediate.

The wider Dollis Valley development as approved under hybrid approval B/00354/13 proposed 250 affordable house (230 rented and 20 intermediate) out of 631 total residential units. This total number and the number and percentage of affordable units will not change as a result of the proposed changes, as these are controlled under the approved parameters of the hybrid approval and any changes authorised under this amendment would need to be rebalanced in future RMA applications.

In relation to this phase, the application does not affect the number of affordable units proposed within this phase i.e. 43 (38 rented and 5 intermediate) or change the configuration of these units.

**Disabled Units/Access**

Policy 3.8 of the London Plan further states that 10% of new residencies within a development should be wheelchair accessible or easily adaptable for residents who are wheelchair users. Provision should also be made for affordable family housing, wheelchair accessible housing and ensure all new housing meets parts M4 (2) and (3) of the Building Regulations as follows:

- **Part M4(2)**
  - 90% of the dwellings shall be designed to be Category 2 ‘Accessible and adaptable’

- **Part M4(3)**
  - 10% of the dwellings shall be designed to be Category 3 ‘Wheelchair user dwellings’

The proposed changes would continue to meet these standards
Design
The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are set out at Policy 7.6.

Policy CS5 of Barnet Council’s policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

Conclusion
The proposed changes introducing two three storey apartment blocks in lieu of two short terraces of two short terraces of 6 houses do not fundamentally affect the design and appearance of the phase, as the proposed apartments would match the two consented blocks within the Phase on the opposite side of Dollis Valley Drive. The
proposed changes in house types being proposed also does not fundamentally alter the approved school incorporating house types which are already used throughout the phase and the wider Dollis Valley development.

**Density**

Policy 3.4 of the London Plan states that taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in Table 3.2. The site measures 1.8 hectares and has a PTAL rating of 2. Based on Table 3.2 the site is of an “urban” character. This has been defined as an area “with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes.”. The site would continue to have a density of between 200-450 units per hectare. This is in keeping with the London Plan density matrix.

**Archaeology**

Condition 48 of the hybrid planning permission requires the implementation of a programme of archaeological mitigation with each phase. The applicant has submitted a statement in support of their application advising that no archaeological sites or deposits have been found in the Phase 3 part of the development and that due to the level of groundworks which were carried out when Dollis Valley Estate was constructed in the 1960’s it is unlikely that Phase 3 has any sites of archaeological interest. Therefore no further investigation is required. Historic England have been consulted and have confirmed that they are satisfied that no archaeological material would be lost by the development. In light of this they have no objection to the proposal. Condition 48 is therefore discharged by this application.

**Amenities of future Occupiers**

**Internal space Standards for future Occupiers**

Policy 3.5 of the London Plan states that new residential units should provide the highest quality internal environments for their future residents and should have minimum floor areas in accordance with the Government’s technical housing standards set out in Table 3.3. It recognises that a genuine choice of homes should be provided in terms of both tenure and size. Detailed residential standards are also contained within the Mayor’s London Housing SPG.

The submitted documents demonstrate that all the proposed units are of a generous in size and comply with the required London Plan and the National Technical Housing Standards.

**Sunlight and Daylight to Proposed Units**
The application is accompanied by an amended Daylight/Sunlight report prepared by PRP which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties and the proposed units based on the approach set out in the Building Research Establishment’s (BRE) ‘Site Layout Planning for Daylight and Sunlight: A Good Practice Guide’.

Daylight has been assessed in terms of Vertical Sky Component (VSC) and sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and overshadowing has been assessed against the above BRE guidelines. The BRE Guidelines provide numerical guidelines, however these are not mandatory and should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or
- The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

It should be noted that the London Plan guidance states that in view of London’s context accepting VSC reductions exceeding 20% is acceptable.

Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment it is considered that there would be no real noticeable loss of sunlight where:

- In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and in cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

The submitted daylight and sunlight report confirms that the proposed changes would not alter daylight or sunlight approvals significantly from the extant approval and as such is considered acceptable.
**Outdoor amenity**

The London Housing SPG provides further guidance in relation to the provision of dual aspect units and private amenity space. Housing SPG standard 4.10.1 states that 5m² of private amenity space should be provided for each one bedroom unit, with a further 1m² provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m and that developments should avoid single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment.

Barnet’s Sustainable Design and Construction SPD sets the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to provide 5sqm of usable outdoor communal or private amenity space per habitable room proposed and houses considerably more as detailed in Table 2.3 below of SPD Adapted from the Sustainable Design and Construction SPD and are as per the London Plan requirements. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

![Table 2.3: Outdoor Amenity Space Requirements](image)

<table>
<thead>
<tr>
<th>For Flats:</th>
<th>Development Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 5 m² of space per habitable room.</td>
<td>Minor, Major and Large scale</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For Houses:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• 40 m² of space for up to four habitable rooms</td>
<td></td>
</tr>
<tr>
<td>• 55 m² of space for up to five habitable rooms</td>
<td></td>
</tr>
<tr>
<td>• 70 m² of space for up to six habitable rooms</td>
<td></td>
</tr>
<tr>
<td>• 85 m² of space for up to seven or more habitable rooms</td>
<td></td>
</tr>
</tbody>
</table>

Details submitted with the application demonstrate that the proposed amendments would continue to comply with the above standards.

**Play space**

Under condition 39 of the original hybrid planning permission, it is required that details pertaining to children’s play space be submitted for each phase of development.

Policy 3.6 of the London Plan states that housing development proposals should make a provision for play and informal recreation for children and young people. According to Housing SPG standard 1.2.2, the development is required to make appropriate play provisions in accordance with a GLA formula and calculation tool, whereby 10sqm of play space should be provided per child, with under-5 child play space provided on-site as a minimum, in accordance with the London Plan ‘Shaping Neighbourhoods: Play & Informal Recreation SPG and ‘Providing for Children and Young People’s Play and Informal Recreation' SPG’.
The proposed play space was amended in light of the housing needs survey which altered the required housing mix and lead to an increase in the number of projected child yield (see below table).

<table>
<thead>
<tr>
<th>Child Age Category</th>
<th>Number of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5 yrs</td>
<td>43</td>
</tr>
<tr>
<td>5 to 11 yrs</td>
<td>29</td>
</tr>
<tr>
<td>12+ yrs</td>
<td>16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>89</strong></td>
</tr>
</tbody>
</table>

Total area requirement based on GLA benchmark: 10sqm/child = 886.5sqm

Based on the London Plan calculator, it is required that the development provide 912.4sqm of play space (91 children). Details submitted with the previous reserved matters application advised that play space for the projected number of children generated under Phase 3 will be located within the other phases of development. This is unchanged by the current S73 application.

**Impact on Neighbouring Amenity**

At a national level, Chapter 11 of the NPPF has an approach based on the central principle of sustainability through the pursuit of amenity improvements, developments driven by context, long term improvements to the environment and high quality design. Amenity is also an important consideration of The London Plan (2017) Chapter 7 and Chapter 13 states that when determining planning applications, local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source.

Under the Local Plan, the protection of existing amenity arrangements in any area is considered to be an important aspect of determining whether a proposal is acceptable or otherwise. The protection of existing residential amenity is required through good design in new developments which intern promotes quality environments. More specifically Policy DM01 states that proposals should seek to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms of daylight/sunlight, outlook and privacy for existing occupiers. While Policy DM04 under point ‘d’, states that proposals that are likely to generate an excessive level of noise close to noise sensitive uses, such as residential dwellings, will not normally be permitted.

This is further supported by Barnet’s Adopted Residential Design Guidance SPD (adopted April 2013) which provides further guidance on safeguarding the amenities of neighbouring and surrounding residential occupiers.
Privacy, overlooking and outlook

The proposed changes do not alter the layout of the development, and while there are some changes in house types and the introduction of apartment blocks in lieu of 12 houses, these changes do not result in any demonstrable loss of outlook or cause problems of overlooking due to the generous separation distances proposed and orientation of the properties.

Daylight, sunlight and overshadowing

The application’s Sunlight and Daylight report confirmed that there will be no fundamental change to daylight and sunlight to neighbouring properties as a result of the proposed amendments.

In light of the above, the proposed sunlight and daylight impact on existing residential units is acceptable.

Noise and sound insulation

Under condition 53 of the hybrid permission it is required that details regarding sound installation be submitted for consideration by the Council. An amended noise survey has been submitted with the current S73 application which has been assessed by the Council’s Environmental Health Officer. The Officer has confirmed that the details submitted are acceptable.

Landscaping and Trees

Policy DM01 requires that proposals should include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

DM01 further states that trees should be safeguarded and when protected trees are to be felled the Council will, where appropriate, require replanting with trees of an appropriate size and species. This is also supported by the Barnet Local Plan Policy DM16, which elaborates that when considering development proposals, the Council will seek the retention, enhancement or creation of biodiversity.
The proposals previously approved under reserved matters for Phase 3 responded to the highways constraints on the planting of avenue trees to Dollis Valley Drive. A review of avenue tree planting and visibility sprays at junctions was undertaken, and as a result, the avenue tree planting strategy was reduced to a single side of the road. This was largely offset with an increase in garden and courtyard tree planting, particularly in strengthening the buffer between Block 4 and the adjacent existing properties on Brent Place to the east.

The current S.73 application, reduced planting on the side of the secondary residential roads is proposed. This results from the difficulty in providing trees to highways approval and responding LBB Highways’ comments around movement of refuse and emergency vehicles. In order to offset the loss of these trees, there would be a proportionate increase in the garden, courtyard and offsite tree planting. This approach to offsetting the loss of trees was similarly found acceptable under the approved Phase 3 reserved matters and is considered acceptable in this instance due to the site constraints.

Sustainability

At the heart of the NPPF is the fundamental principle to build in favour of sustainability. It states that developments should reduce greenhouse gas emissions (paragraph 95) and in determining planning applications local planning authorities should expect developments to comply with local policies in terms of the layout of development, paying particular attention to create develops that would reduce energy consumption through building orientation, massing and landscape (paragraph 96).

In keeping with the fundamental practices of the NPPF, the Council’s Local Development Plan provides policies to enforce sustainable practices. In particular, Policy CS NPPF states that a positive approach will be taken for developments that have been built to sustainable methods. Policy DM01 of the Local Plan states that all developments should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation.

This approach is also echoed by the London Plan Policy 5.2 which requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

No details have been submitted with this application concerning energy and renewables which will be subject to a future discharge of condition application.

Highways
Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) states that the Council will promote the delivery of appropriate transport measures to relieve pressure on the existing infrastructure and support growth, whilst maintaining the level of freedom in terms of public access to these facilities. The Council is also driven by the objective to ensure that any proposed use or development would match the current transport capacity and capabilities at the local. If necessary these will be undertaken via the use of the Community Infrastructure Levy or S106 Legal Agreements. In doing so, the following measures will be prioritised:

- The reduction congestion
- Continued investment in the highways network
- Working with TFL
- The management of parking
- Maintaining road safety
- Encouraging sustainable modes of transport

Policy DM17 states that the Council will ensure that there is safety for all road users and will refuse applications that may lead to safety concerns on the highway or increase risk to vulnerable users. In considering new developments the Council will require the submission of a Transport Assessment where the proposed development is anticipated to have significant transport implications. Developments should be located close to existing public transport links and should encourage their use and if necessary, new routes and services should be created. Cycle and parking provisions should be proposed in line with the London Plan standards.

Outline Development Proposal and Phasing:

The regeneration of Dollis Valley Estate site involved demolition of the existing 440 dwellings within the application boundary of which 436 dwellings are within the Dollis Valley Estate and 4 dwellings are located on the periphery of the Estate. 631 new residential dwellings are to be provided in total. The development strategy for Dollis Valley Regeneration is to complete the development in 5 phases.

Phase one was approved as part of the approval of the hybrid planning application ref. No B/00354/13 which predominantly included the construction on the former Barnet Hill JMI School and Nursery School land. It comprised of construction of up to 108 dwellings, neighbourhood facilities (community centre and nursery), a new vehicular access onto Mays Lane and the connection of realigned Hammond Close to the existing Dollis Valley Way.

Phase two was approved under planning application No B/02349/14 comprising 163 residential units and is in the process of being completed.

Phase 3 Proposals:
A reserved matters application No. 17/5168/RMA seeking approval of landscaping, appearance, scale, access and layout for Phase 3 of the Dollis Valley Regeneration pursuant to Condition 7 of the hybrid planning permission reference B/00354/13 was approved with a development proposal for 117 residential units comprising 16x1bedroom units, 40x2bedroom units, 34x3bedroom units and 27x4bedroom units. 156 car parking spaces comprising 144 allocated and 12 unallocated parking were proposed for Phase 3 development.

**Revised proposals for the phase 3:**

The current application is for the amendments proposed to the phase 3 proposals approved under planning application 17/5168/RMA as follows.

The amended proposals for Phase 3 proposes 135 new dwellings, comprising of 47 houses and 88 apartments in four apartment blocks resulting in 18 additional residential units. The highway impact of the amended proposal is assessed as follows.

**Assessment of Parking Provision:**

Tables below show the assessment and comparison of parking requirements and provision for the approved Reserved Matter Application No. 17/5168/RMA and the submitted Variation of condition application No. 18/5561/S73 for the proposed number of units under both applications.

**Approved Reserved Matter Application No. 17/5168/RMA:**

The table below shows the parking requirement for the approved reserved matter application for the Phase 3 development:

<table>
<thead>
<tr>
<th>Types of Units</th>
<th>Total Number of units</th>
<th>LBB Parking Standards Range per unit</th>
<th>Parking spaces (low end of range)</th>
<th>Parking spaces (high end of range)</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 1b</td>
<td>16</td>
<td>(0.0-1.0)</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>40 2b</td>
<td>40</td>
<td>(1.0-1.5)</td>
<td>40</td>
<td>60</td>
</tr>
<tr>
<td>34 3b</td>
<td>34</td>
<td>(1.0-1.5)</td>
<td>34</td>
<td>51</td>
</tr>
<tr>
<td>27 4b+</td>
<td>40.5</td>
<td>(1.5-2.0)</td>
<td>40.5</td>
<td>54</td>
</tr>
<tr>
<td>117 Total</td>
<td>114.5</td>
<td></td>
<td>181</td>
<td></td>
</tr>
</tbody>
</table>
A total of 156 parking spaces were proposed comprising 144 allocated parking spaces and 12 non-allocated parking spaces for the approved Reserved Matter Application No. 17/5168/RMA which equates to a parking ratio of 1.33 parking spaces per unit.

Variation of condition application No. 18/5561/S73:

The table below shows the parking requirement for the S73 Application submitted for Phase 3 development:

<table>
<thead>
<tr>
<th>Types of Units</th>
<th>Total Number of units</th>
<th>LBB Parking Standards Range per unit</th>
<th>Parking spaces (low end of range)</th>
<th>Parking spaces (high end of range)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>1b</td>
<td>(0.0-1.0)</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>68</td>
<td>2b</td>
<td>(1.0-1.5)</td>
<td>40</td>
<td>102</td>
</tr>
<tr>
<td>33</td>
<td>3b</td>
<td>(1.0-1.5)</td>
<td>34</td>
<td>49.5</td>
</tr>
<tr>
<td>14</td>
<td>4b+</td>
<td>(1.5-2.0)</td>
<td>40.5</td>
<td>28</td>
</tr>
<tr>
<td>135</td>
<td></td>
<td>Total</td>
<td>122</td>
<td>199.5</td>
</tr>
</tbody>
</table>

158 parking spaces in total are proposed for the amended proposal with 149 allocated parking spaces and 9 non-allocated parking spaces. The level of parking proposed is in accordance with the Barnet Local Plan Development Management Policies approved in September 2012 Which equate to a parking ratio of 1.17 parking spaces per unit.

Parking provision per each phase of the development forms part of the overall parking provision on completion of the development of 788 parking spaces as approved in the outline hybrid planning application B/00354/13.

Comments on parking provision:

The planning application No. 18/5561/S73 submitted to vary the condition proposes net 18 additional units comprising 1 and 2 bedroom units and reduction in the 3 and 4 bedroom units compared to the approved planning application 17/5168/RMA.

In accordance with DM17 Policy the 3 and 4 bedroom units would require greater parking provision. Therefore, the revised proposal with additional 18 units comprising greater number of 2 bedroom units and the reduction in the provision of 3 and 4 bedroom units is unlikely to have any additional adverse impact on public highway.

Therefore, the slight reduction in the parking ratio is acceptable on highway grounds.
Parking spaces shown on carriageway within parking bays contained by kerb buildouts without any tappers is not acceptable as the vehicles will not be able to fully accommodate in the parking bays. These bays will need to be revised and tappers to allow for manoeuvrability in and out of the parking bays.

Cycle Parking:

Cycle Parking is to be provided in accordance with London Plan Cycle Parking Standards therefore is acceptable.

Conclusion

No objections are raised on highway grounds to the proposed amendments subject to the inclusion of appropriate conditions. While the comments raised by TfL are noted, RMA applications are not referable to the mayor and as such any comments received are not binding on the Council. In any event the increase in parking numbers on this phase does not increase the total number of spaces authorised under the outline approval and is considered acceptable.

Refuse and Recycling Storage

Under Policy CS14 of the Local Plan Core Strategy, the Council has taken a proactive approach to dealing with waste production and disposal. It notes that a key component of dealing with waste in a more sustainable way is to find better ways of reducing the amount of waste and taking more responsibility for its disposal, instead of relying on landfill sites such as that in Bedfordshire. The London Borough of Barnet has one of the largest carbon footprints per head of population in London. However it was the first local authority to introduce compulsory recycling in March 2005. As such, it is clear that the Council employs a sustainable approach to refuse and recycling. This approach also forms part of The Mayor of London’s objectives. The London Plan (see Policy 5.16 and 5.17) sets a target of working towards managing the equivalent of 100 per cent of London’s waste within London by 2031. Meeting this target will require the use of new facilities and technologies.

In keeping with the above, Policy CS14 encourages sustainable waste management practices for all developments by way of waste prevention, re-use, recycling, composting and resource efficiency over landfill. All developments should seek to present waste disposal techniques which are able to meet future needs. The Sustainable Design and Construction SPD provides a detailed minimum requirement for waste provisions stating that “All non-residential developments should provide a minimum of 10m2 designated waste storage space for materials for recycling, such as paper, glass bottles and jars, cans, cardboard, and plastic bottles” (p.30) and “A minimum internal storage capacity of 60 litres per dwelling (flats and houses) should be provided which can accommodate containers for the temporary storage of materials.
to be recycled.” The proposal includes refuse storage provision which complies with the above and is considered acceptable.

5. EQUALITY AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

For the purposes of this obligation the term “protected characteristic” includes:- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under the above legislation.

6. CONCLUSION

The application is made under Section 73 of the Town and Country Planning Act seeking planning permission to vary the wording of the description of development and planning condition 1 attached to hybrid planning permission B/00354/13.

National Planning Practice Guidance (NPPG) advises that a minor material amendment “is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.” In this case, it is not considered that the changes proposed would result in any significant change to the approved scheme.

The amendments proposed are considered acceptable in land use terms and do not raise any significant design, neighbouring amenity or highway implications. The proposed amendments generally and taken overall accord with the relevant development plan policies.
Accordingly, subject to the conditions set out in the recommendations section at the beginning of this report, the application is recommended for Approval.