



- Existing Ground Floor Plan (PP\_03)
- Existing First Floor Plan (PP\_04)
- Existing Western Elevation (PP\_05)
- Existing South Elevation (PP\_06)
- Existing Eastern Elevation (PP\_07)
- Existing North Elevation (PP\_08)
  
- Proposed Location Plan (PP\_10 Rev D)
- Proposed Ground Floor Plan (PP\_12 Rev E)
- Proposed Basement Floor Plan (PP\_13 Rev E)
- Proposed First Floor Plan (PP\_14 Rev E)
- Proposed Second Floor Plan (PP\_15 Rev E)
- Proposed Third Floor Plan (PP\_16 Rev E)
- Proposed Roof Plan (PP\_17 Rev E)
- Proposed West Elevation (PP\_20 Rev E)
- Proposed North Elevation (PP\_21 Rev E)
- Proposed East Elevation (PP\_22 Rev E)
- Proposed South Elevation (PP\_23 Rev E)
- Proposed Section (PP\_24)
  
- Agent Letter (Ferrier Tomlin - ESP/J1/esp001 - 22 July 2019)
- Arboricultural Impact Assessment and Outline Method Statement (Arboricultural Solutions LLP - July 2019 Rev. 1)
- Area Schedule, Revision E November 2019
- Daylight and Sunlight Study (Within Development) (Right of Light Consulting - 30 October 2019)
- Daylight and Sunlight Study (Neighbouring Properties) (Right of Light Consulting - 31 July 2019)
- Ecology Report (Eight Associates - 01/08/19 - Issue 2)
- Letter accompanying Daylight and Sunlight Study (Within) (Right of Light Consulting - 26 November 2019)
- Sustainability Statement (Eight Associates - 31/07/2019 - Issue 2)
- Swept Path Analysis (Caneparo Associates - TR001)
- Tree Protection Plan (TPP\_ZEROHSE\_2 Rev. B)
- Transport Statement (Caneparo Associates - July 2019)

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, 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 or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 a) The proposed development hereby approved, shall be implemented in accordance with the approved Arboricultural Impact Assessment and Outline Method Statement (Arboricultural Solutions LLP - July 2019 Rev. 1) and Tree Protection Plan (TPP\_ZEROHSE\_2 Rev. B).

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection

shown on the approved tree protection plan (TPP\_ZEROHSE\_2 Rev. B) has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

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

- 6 Prior to works commencing on the basement, the following details will have to be submitted to and approved in writing to the Local Planning Authority:
- (i) A preliminary report detailing existing hydrology and soils and how the approved works would impact on hydrology and how stability of neighbouring properties during construction will be protected and monitored; and
  - (ii) means by which the Local Planning Authority can cover the costs of having the report required in (i) to be independently reviewed by a suitably qualified person; and
  - (iii) Following independent review of the interim report, a final report that shall make recommendations arising from the initial findings and independent review. The construction works shall be implemented in accordance with the recommendations of the approved final report, and any on-going requirements shall be maintained thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties and local hydrogeology in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 5.13 of the London Plan 2016.

- 7 a) Prior to their first instalment, details of the materials to be used for the external surfaces of the building and hard surfaced areas hereby approved, shall be 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.

- 8 a) Prior to the first occupation of the development hereby approved, 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.
- 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.

- 9 Before the development hereby permitted is first occupied, the parking spaces shown on Drawing No. PP\_12 Rev E shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

- 10 Prior to the first occupation of the development hereby approved, 12 cycle parking spaces shall be provided in accordance with approved plan PP\_13 Rev E and shall not be used for any purpose other than the parking of cycles in connection with the approved development. These cycle parking spaces shall be retained as such thereafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles 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.

- 11 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).

- 12 Before the building hereby permitted is first occupied, all proposed windows in the eastern elevation and roof lights in the eastern roof slope, all first and second floor windows in the north elevation marked as obscure glazing on approved drawing

PP\_21 Rev E and all first and second floor secondary windows serving the living room and family bathroom on the south elevation, shall be glazed with obscure glass only, up to a height of 1.8m and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 13 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments and acoustic fencing along the site's north and eastern boundaries adjacent to the on-site parking area, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 14 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

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

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

- 16 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.

- 17 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

- 19 Prior to any demolition or site works, a range of Bat Boxes shall be hung on a rear boundary mature tree at a height of 3-5 metres.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 20 No removal of hedgerows, trees or shrubs, or demolition works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

### RECOMMENDATION III:

- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 01.05.2020, unless otherwise agreed in writing, the Service

Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development in relation to vehicular trip generation and on-street parking capacity. Therefore, it is considered it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy (2012) and policy DM17 of the Adopted Development Management Policies DPD (2012)

**Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

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

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

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

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and

surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

#### Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self-Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

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

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).
- 6 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 7 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 8 The submitted Construction Method Statement shall include as a minimum, details of:
  - Site hoarding
  - Wheel washing
  - Dust suppression methods and kit to be used
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
  - Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
  - Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 9 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. 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.

- 10 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale. NW9 4EW, 4-6 weeks before the start of any works on the public highways.
- 11 The surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 12 The As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

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

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

- 13 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted

road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

## Officer's Assessment

### 1. Site Description

The application site comprises of a two-storey dwelling located close to the junction with Avondale Avenue and Holden Road. Part of the ground floor level accommodates integral garages, with other non-integral single-storey garages sited adjacent within the site. Immediately north of the application site is Avon Court, a four-storey purpose-built block of flats, to the west and south is Avondale Avenue which is largely characterised by prominent two-storey dwellings, with a four-storey purpose-built block of flats (Worcester Court) the only notable difference and to the east are the rear gardens of two-storey dwellings located on Holden Road and Gainsborough Road. Directly opposite the site to the west is a two-storey detached dwelling located over lower ground and ground floor levels (no.2A Avondale Avenue), with the associated amenity space located at lower ground floor level. The application site towards the rear comprises of a narrow strip of land which is surrounded by mature trees. This forms the main amenity area of the existing dwelling.

Avondale Avenue is predominantly characterised by two-storey semi-detached and terraced residential properties that have decorative bay window and front gable designs, with many incorporating mock Tudor wood and render finishes at first-floor level. There are some deviations to the building typology and architectural form along Avondale Avenue, including a legacy four-storey purpose-built block of flats (Worcester Court), two-storey detached dwellings and dwellings which have made external alterations to the original form over time. The application site given its form, scale and incorporation of single-storey garages, is considered visually out of keeping with the predominant design of residential dwellings along Avondale Avenue.

Adjacent properties along Avondale Avenue at nos. 1-43, 2-10 and 36-66, have been included in the draft Local Listing (July 2019). This listing has yet to be formally adopted. The highlighted properties have been added to the draft Local Listing with the following commentary:

*This Avenue consists of pairs and terraces of two storey Edwardian houses, mostly retaining their original external features and decorative detailing. These include, timber sliding sash windows set in square or semi-circular bays, art timber, part glazed front doors set within decorative timber entrance canopies. Most of the houses feature projecting gable ends with both half timbering or circular recessed window openings. Facing materials include red brick with white painted roughcast rendering and clay tiled roofs. Chimney stacks are set on flanks or centrally on roof slopes along with raised fire breaks. Collectively, the houses form an attractive group of relatively unaltered domestic properties from the early 20th century.*

The application site is not located within a conservation area, does not contain any statutory or locally listed buildings and has no trees subject to a Tree Preservation Order (TPO) within its curtilage.

The application site has a PTAL (Public Transport Accessibility Level) rating of 3 which represents an average level of site accessibility. Avondale Avenue has a Controlled Parking Zone in place (Resident Permits - Monday to Friday 2pm - 3pm), as has Holden Road to the north (Resident Permits - Monday to Friday 2pm - 3pm and Charged for parking Monday to Saturday 9am - 5pm).

The application site is located within Flood Zone 1.

## **2. Site History**

Reference: C00648B

Address: Zero, Avondale Avenue, London, N12

Description: Conversion of garage into playroom involving alteration to front elevation

Decision: Withdrawn

Decision Date: 21 March 1991

Reference: C00648A

Address: Zero, Avondale Avenue, London, N12

Description: Single storey front extension and construction of second storey

Decision: Refuse

Decision Date: 04 July 1989

Reference: C/00203/A

Address: 25 Holden Road, London, N12

Description: Erection of 4 storey block of 12 flats with 12 garages, new access and parking space

Decision: Approved subject to conditions

Decision Date: 28 July 1965

Reference: C/00203

Address: 25 Holden Road, London, N12

Description: Erection of a four-storey block containing twelve flats with twelve garages.

Decision: Refuse

Decision Date: 14 May 1965

## **3. Proposal**

- Demolition of existing dwelling and associated garages;
- Creation of a three-storey (plus basement level and habitable rooms at roof level) building to accommodate six self-contained flats;
- Four onsite parking spaces;
- Communal amenity space via rear garden;
- Associated cycle and refuse storage.

The proposals would necessitate alterations to on-street parking bay to front of the site (does not result in loss of on-street parking capacity).

## **4. Public Consultation**

Consultation letters were sent to 80 neighbouring properties. 22 responses were received comprising 22 no letters of objection. Due to this application being revised and therefore being the subject of an additional round of public consultation, 2 of the objections recorded are from the same person and address. Nevertheless, the objections received can be summarised as follows:

Character:

- Represents over-development with density uncharacteristically high for Avondale Avenue.
- Balconies would overlook adjacent properties and be out of character.
- Flatted development is out of character for Avondale Avenue which is characterised by 4-bed single-family dwellings.
- The overall building aesthetic is well considered and would be a significant improvement to the existing house. However, it represents an over-development given the number of flats and lack of onsite parking.
- A number of adjacent buildings have been proposed to be added to the Local Heritage list. Many of the properties retain their original Edwardian character and features. The proposed development at Zero will dwarf the surrounding houses and features balconies which are not in keeping.
- The bin storage should be located to the rear of the building out of sight.
- The inclusion of a basement is out of character.
- The use of render on the elevations is a concern and can result in staining over time.

#### Neighbouring Amenity:

- A number of adjacent properties have previously suffered subsidence. The proposal to build a basement increases the risk of subsidence to neighbouring properties. Any consent should be subject to a basement impact assessment to assess the potential risk.
- There are concerns that the proposed development will lead to a loss of light to neighbouring windows.
- The proposed balcony on the top floor will overlook no.1 and intrude on privacy.
- Flats 5 & 6 are 3-bed flats and not 2-bedroom flats. To class the rooms as 'study' means that these are not habitable spaces and whilst this has no impact on the parking provision, the two additional double bedrooms will have an impact in reality.
- Building works will cause a high-level of noise and disturbance. This needs to be managed properly through a demolition and construction method statement.
- The building would overshadow and provide an overbearing impact on neighbouring rear gardens.

#### Future Occupier Amenity:

- Not Part M compliant in relation to disabled occupiers and fire and safety standards.

#### Parking / Highways:

- Loss of garages and provision of only four onsite parking spaces will result in a net loss of off-street parking.
- Family-sized units and associated car ownership will add to parking congestion and stress on the adjacent street network.
- Surrounding street network is congested due to resident and commuter parking. The proposed development will add to this stress. Additional onsite parking should be provided.
- Any future occupiers should be restricted from obtaining resident parking permits.
- The result of the Parking Beat survey conducted in September 2018 does not present a fair representation of true parking demand in the vicinity, or likely trip generation, and a more rigorous study should be completed. Overnight parking is often difficult to find within a reasonable walking distance.
- The proposed parking survey does not take into account visitor parking demands.
- Any consented scheme should be car-free given the limited off-street parking provided and on-street parking strain currently experienced.

- The provision of basement cycle storage should have a lift that is proportionally suitable to accommodate the bikes. The proposed lift is too small and the use of stairs would be a DDA issue.

Statutory Consultees:

Arboricultural officer: Recommendation of approval subject to conditions relating to a landscaping plan and agreed tree protection measures.

Ecology: Recommendation of approval subject to conditions around demolition timing, shrub removal and ecological safeguarding measures.

Environmental Health: Recommendation of approval subject to conditions.

Highways: Recommendation of approval subject to conditions and a s.106 agreement restricting future occupiers from obtaining parking permits.

Fire Brigade: No objection.

Thames Water: No objection.

## **5. Planning Considerations**

### **5.1 Policy Context**

National Planning Policy Framework and National Planning Practice Guidance:

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

The National Planning Policy Framework (NPPF) (2019) 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.

Draft Mayor's London Plan:

The London Plan is currently under review and is also a material consideration.

Barnet's Local Plan (2012):

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM08, DM16, DM17.

Supplementary Planning Documents:

- Residential Design Guidance SPD (2016)
- Sustainable Design and Construction SPD (2016)

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the amenity of neighbouring residents;
- Whether a sufficient level of amenity has been provided for future occupiers;
- Whether harm would be caused to parking and traffic in the surrounding area;
- Whether sufficient refuse storage has been provided.

## **5.3 Assessment of proposals**

### **Principle of Development**

The proposed development seeks to demolish the existing two-storey dwelling, six integral garages and six single-storey garages at Zero, Avondale Avenue. This is to facilitate the erection of a three-storey building (plus basement level and habitable rooms at roof level) for the purposes of creating six self-contained flats. The proposed development proposes four off-street parking spaces to the north of the new three-storey building, communal amenity space to the rear of the application site and onsite cycle parking and designated refuse storage.

As outlined in the site description above, Avondale Avenue is exclusively residential in character. It is largely characterised by prominent two-storey dwellings (many including habitable rooms at roof level), albeit there is a purpose-built block of flats located at Worcester Court. Of the two-storey dwellings on Avondale Avenue, those at 1-43, 2-10 and 36-66 have been nominated to the local list which is pending adoption. Their collective architectural merits are highlighted in the site description above. The other two-storey dwellings within Avondale Avenue are of limited architectural merit, with many including non-original extensions and alterations.

Opposite the application site is no.2A Avondale Avenue which comprises of a two-storey dwelling built over lower ground and ground floor levels, with front lightwells and a lower ground floor amenity area. At street level this has the appearance of being a single-storey dwelling. Immediately to the north of the application site is Avon Court, a four-storey purpose-built apartment block. Whilst this fronts onto Holden Road, it has a very direct visual impact on the setting of the application site and serves to frame the entrance into

Avondale Avenue from Holden Road. Immediately adjacent to the south of the application site is no.1 Avondale Avenue, which as highlighted above, has been nominated for inclusion into the local list (subject to adoption). Therefore, while Avondale Avenue is predominantly characterised by Edwardian houses of collective architectural merit, the immediate visual setting of the application site is mixed.

The current two-storey building at the application site has no architectural merit and is considered a detraction from a street predominantly, albeit not exclusively, characterised by Edwardian houses of collective architectural merit. Indeed, through its dated and tired brick and render cladding, discordant building form and height, poor state of repair and inclusion of twelve garages (six being integral and six single-storey), the existing building and site layout is considered to cause harm to the character and visual appearance of Avondale Avenue and the properties nominated to the local list.

With the above in mind, the proposed scheme represents an opportunity to redevelop a visually discordant site which is considered harmful to the character and appearance of Avondale Avenue and the nominated local heritage assets.

Any development of a site is required by the National Planning Policy Framework (2019) (NPPF) to make most efficient use of land. Paragraph 117 of the NPPF states:

*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield land'.*

The optimisation of land use is further supported in Policy H2 of the Draft London Plan. Indeed, Part D (2) states that:

*- (D) To deliver the small sites targets in Table 4.2, boroughs should apply a presumption in favour of the following types of small housing development which provide between one and 25 homes:*

*- (2) proposals to increase the density of existing residential homes within PTALs 3-6 or within 800m of a Tube station, rail station or town centre boundary through:*

*- c. [involve] the demolition and redevelopment of existing buildings.*

While the above is subject to demonstrating that the proposed development would not 'give rise to an unacceptable level of harm to residential privacy, designated heritage assets, [and] biodiversity', it serves to reinforce the emerging policy position of supporting managed increases in residential density in certain locations. The application site would meet the above criteria as it is located circa 350m from Woodside Park Tube Station (walking distance) and circa 544m from North Finchley Town Centre.

The emerging policy within the Draft London Plan (Policy D6 - Optimising Housing Density) advises that the optimum density of a development should result from a designed approach to determine the capacity of the site, with particular consideration to site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. This seeks to move away from the existing Density Matrix outlined in Table 3.2 of Policy 3.4 of the London Plan (2016).

As highlighted above, the application site is considered an accessible location given its proximity to Woodside Park Tube Station and North Finchley Town Centre and this is reflected in the mix of building typologies evident within Avondale Avenue and the immediately adjacent Holden Road, where both purpose-built apartment blocks and flat conversions are present. The application site also meets the highlighted Draft London Plan criteria for a location where residential density optimisation is strongly encouraged in policy terms. In that respect, it is considered that the proposed residential density is acceptable for the application site where a more flexible, design-led approach is encouraged. That said, the existing Density Matrix is still a material consideration although less weight is given to this as the Draft London Plan progresses through its consultation process.

Based on the density matrix highlighted above, the proposed development is defined as being located within an urban setting:

*areas 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.*

Given the site's PTAL rating of 3 and urban locality, the London Plan (2016) provides a residential density range for the application site of 200-450 habitable rooms per hectare (hr/ha) and 45-120 units per hectare (u/ha). The proposed development measures 0.0592 hectare and would have 28 habitable rooms (study rooms have been counted as habitable rooms and the joint living room and kitchen areas as two habitable rooms given they are over 20m<sup>2</sup> in size). This results in a proposed residential density of 101.35 u/ha and 472.97 hr/ha. This falls comfortably within the recommended range of units per hectare but sits a little higher than the habitable rooms per hectare range.

Paragraph 1.3.8 of the Mayors Housing SPG states that the density matrix:

*Should be used as a starting point and guide rather than as an absolute rule...The London Plan is clear that the SRQ density matrix should not be applied mechanistically without being qualified by consideration of other factors and planning policy requirements.*

In view of the above, the emerging Draft London Plan policy direction towards residential density optimisation at locations such as the application site and given the proposed development sits comfortably within the unit per hectare range, the proposed level of density is considered acceptable. For clarity, the difference between the proposed development falling within the habitable rooms per hectare range and outside, is two rooms. It is not considered that the difference of two rooms (two of which are study rooms) would result in significant additional harm to neighbouring residential occupier amenity, or the wider character of Avondale Avenue and the immediately adjacent Holden Road. Consequently, based on both the existing and emerging draft London Plan policy, the proposed development at the number of units and habitable rooms shown is not considered an over-densification of the application site. The proposed development's compliance with internal and external space standards will be discussed in the future occupier amenity section below.

The proposed development proposes six self-contained flats. Policy DM01 states that the 'conversion of dwellings into flats in roads characterised by houses will not normally be appropriate'. Avondale Avenue has a mixed residential typology. It contains one purpose-built apartment block in Worcester Court and a number of two-storey dwellings which have

been converted into flats. The most recent flat conversion granted planning permission was at 22 And 22A Avondale Avenue (ref: 15/04163/FUL), where five self-contained flats were allowed. This permission was granted within the current local planning framework. Furthermore, the application site is immediately adjacent to Avon Court, which while fronting Holden Road, has a material impact on the residential character of the northern end of Avondale Avenue. Based on the above, it is considered that the principle of flatted development on Avondale has already been established and is acceptable subject to design, amenity and highways considerations.

The proposed development would provide six self-contained flats and would therefore not be required to provide an affordable housing contribution in line with Policy DM10.

The proposed development would provide a mix of two and three-bed units which is considered appropriate in view of the Council's priority housing needs contained in Policy DM08 and based on Avondale Avenue's building typology, level of accessibility and proximity to Woodside Park Tube Station and North Finchley Town Centre.

Many of the comments received as part of the public consultation associated with this development, have referred to the scheme as an overdevelopment and that as a result, a more scaled down proposal should be forthcoming. However, while a two-storey single-family dwelling, or smaller number of flatted units may represent a form of development which provides a lower level of residential density, this report is required to assess the specific scheme in question and consider whether the principle of development and its associated impacts are acceptable in policy terms. Furthermore, this assessment must be conducted with a view to the highlighted NPPF (2019), which calls for making most efficient use of land. The proposed development complies with the policies contained in both the existing and draft London Plan regarding optimisation of land and provides a building form and typology in keeping with the application site's immediate character context. Therefore, based on the above assessment, the proposed form and quantum of residential development is considered acceptable in-principle, subject to design, amenity and highways considerations.

## **Character and Appearance**

As noted above, the proposed development represents an opportunity to redevelop a site which is considered to detract from the character and appearance of Avondale Avenue and the highlighted local heritage assets (proposed). However, despite the poor visual appearance of the application site at present, any proposed development is still required to comply with Policy DM01 and DM06 in relation to design quality. Policy DM01 states that:

*b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.*

Policy DM06 which addresses heritage and conservation, states:

*a. All heritage assets will be protected in line with their significance. All development will have regard to the local historic context.*

The character and appearance of Avondale Avenue and adjacent development (Avon Court), including the reason for the highlighted local list nominations, has been detailed above. The proposed development has been designed with the highlighted policy and character considerations in mind and has undergone a number of different iterations. The

following section will assess the proposed development against the highlighted character considerations:

#### Building height and siting:

The proposed development is three-storeys (plus a basement level and habitable rooms at roof level). However, the proposed building has been designed to ensure its ridge, eaves and front gable heights are the same as at the adjacent building at no.1 Avondale Avenue, whilst providing floor-to-ceiling heights in compliance with London Plan (2016) guidance. Towards the rear of the proposed development, the roof drops down in height to provide a degree of visual subordination and to mirror the adjacent building at no.1 which steps down in height where the outrigger is located. Furthermore, the first and second-floor level bay windows are also proposed to closely match the dimensions and height as those at no.1 Avondale Avenue. The main visual difference between the proposed front elevation and no.1 Avondale Avenue is the ground floor levels, with no.1 having an elevated ground floor level accessed via steps, while the proposed ground floor is located at street level to provide step free access for future occupiers.

The siting of the proposed development has been designed to reinforce the established building line fronting onto Avondale Avenue, to provide a notable set-back from the rear garden of Avon Court to protect neighbouring occupier amenity in relation to overshadowing, (Avon Court is due north of the application site) and to provide scope for four off-street parking spaces accessed via Avondale Avenue. Furthermore, the rear of the building has been set-back circa 1.5m from the site boundary with no.23 Holden Road. Given the rear garden of no.23 Holden Road extends halfway past the rear boundary of the application site, the proposed development will be located 1.5m from the very end portion of the rear garden of no.23. Given the stated proximity to the rear garden of no.23 Holden Road, all proposed rear facing windows will be obscure glazed up to a height of 1.8m to prevent direct overlooking. This will be secured via condition. As will be discussed in the tree section below, the neighbouring rear garden at no.23 Holden Road benefits from a number of mature trees which will serve to soften any increased perception of overbearing and overlooking. The proposed development will ensure through appropriate tree protection measures that these trees are protected during demolition and construction phases. The rear building line has also been staggered to step away from the flank wall windows at no.1 to protect daylight exposure. These flank wall windows are north-facing.

In summary, the proposed development has a building height which aligns with adjacent properties on the eastern side of Avondale Avenue, has a siting which reinforces the streets established front building line and is considered to provide an appropriate balance between land optimisation and neighbouring occupier amenity safeguarding. Neighbouring occupier amenity considerations are discussed later in this report.

#### Architectural style:

The proposed development has sought to provide a design which respects the character and appearance of the neighbouring nominated local heritage assets and to improve the visual appearance of the street scene. As a consequence, the proposed design closely replicates the building scale, form and design features evident in the adjacent dwelling at no.1. Indeed, it has incorporated prominent curved bay windows, front gables, chimneys and design detailing along the roof ridge and within the front gable ends. Indicative facing materials have been included in the Design and Access Statement accompanying this application to demonstrate how the proposed design and appearance will closely replicate

those used at no.1 Avondale Avenue. A condition would be attached to any permission requiring all facing materials to be formally agreed prior to their installation.

The proposed development has been subject to design iteration. Indeed, following concerns raised during public consultation, the previously proposed front balconies and inset dormer on the south-facing roof slope have been removed. It was considered that these represented a departure from the established character along Avondale Avenue.

The proposed front porch does not seek to replicate the more decorative front porch at no.1. Instead, it incorporates a more modest design to account for its wider step-free entrance.

To avoid a large blank flank wall when viewed from the junction at Holden Road and Avondale Avenue, chimneys have been added. These along with windows, assist in activating and adding definition and articulation to an otherwise large brick flank wall. The chimneys also provide a suitable design feature that reflects those at the adjacent properties on the eastern side of Avondale Avenue.

It is considered that the proposed design provides a positive intervention within the street scene, redeveloping a discordant and tired building for one which respects and compliments the character and appearance of Avondale Avenue and the nominated local heritage assets. It does so through a more traditional response to building form and detailing. It is considered that the proposed building form is acceptable in view of Policies DM01 and DM06.

#### Basement and lightwells:

The proposed development incorporates a basement with associated front and rear lightwells. Whilst basements and lightwells are not a typical design feature within Avondale Avenue, they are a prominent part of the development located opposite the application site at no.2A. Indeed, no.2A includes large lightwells fronting onto Avondale Avenue and a basement level and sunken garden. This was given permission in the current planning framework (ref: F/05895/13). Given the presence of lightwells and a basement at no.2A directly opposite the application site, it is considered that a character-based refusal on the grounds of a basement and lightwell would be unreasonable. However, to limit the visual impact of the proposed basement and associated lightwells, they have been designed to be as discrete as possible. Indeed, the size of the lightwells has been reduced and soft landscaping is proposed to provide additional screening. As part of the public consultation for this application, a number of concerns were raised regarding the use of a basement at the application site and the associated risks of subsidence to neighbouring properties. As will be confirmed in the amenity section below, any permission will be subject to a basement impact assessment to be secured via a pre-commencement condition. Therefore, no site works will be permitted until an appropriate survey and assessment has been completed and submitted to the LPA for review.

#### Parking / bins:

Four off-street parking spaces are provided in the northern part of the site and are accessed via Avondale Avenue. Adjacent to the parking spaces is an area of bin storage. Whilst off-street parking in the layout proposed is not a common feature within Avondale Avenue, it is considered acceptable in this instance given the existing site has an area of off-street parking in broadly the same location. Furthermore, with the demolition of the highlighted garages and the inclusion of landscaping interventions, it is considered that the

proposed off-street parking area would have an improved impact on the character and appearance of Avondale Avenue when compared to the existing arrangement and layout. Indeed, it is considered an improvement to the tired and discordant single storage garages that currently detract from the site's visual appearance.

Bin storage will be located adjacent to the parking area along the site's northern boundary. All refuse bins will be contained within a designated storage area which is set-back from the public pavement and screened by soft landscaping. The exact visual appearance of the bin storage area will be secured via planning condition to ensure its size and location does not visually detract from the character and appearance of the Avondale Avenue street scene.

#### Tree, ecology and landscaping:

Policy DM01 amongst other things, states:

*j. Development proposals will be required to include hard and soft landscaping that:*

*iii. achieve a suitable visual setting for the building;*

*iv. provide an appropriate level of new habitat including tree and shrub planting;*

*v. make a positive contribution to the surrounding area;*

*vii. adequately protects existing trees and their root systems.*

*k. trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate.*

In addition to the above, Policy DM16 states:

*a. When considering the development proposals, the council will seek the retention and enhancement, or the creation of biodiversity.*

An Ecology Report was submitted as part of this application. Given the existing building's vacant and poor state of repair, the Ecology Report assessed whether there was evidence of protected species onsite (such as bats), or within the building structure. The report concluded that the site 'holds little ecological value, with habitats that have limited potential to support protected species'. The report also found no evidence of bat roosts within the loft, with only evidence of pigeons accessing the roof through holes in the timber soffits. Recommendations have been made nonetheless to incorporate bat boxes within the rear garden and for demolition to take place outside of the active nesting season unless a qualified ecologist is there to supervise works. The Council's Ecologist has reviewed the conclusions of the Ecology Report and has recommended approval subject to conditions relating to bat boxes and demolition timing.

The submitted Tree Survey and Tree Protection Plan provides a categorisation for all trees on and adjacent to the site and the measures proposed to safeguard them throughout demolition and construction phases. The Council's Arboriculturalist has visited the application site and reviewed the Tree Survey and Tree Protection Plan submitted and recommended approval of the application subject to conditions relating to hard and soft landscaping and the implementation of proposed tree protection measures.

The proposed development would provide new tree planting and soft landscaping to the front of the site. This serves to improve the visual setting of the building and to provide a positive contribution to the wider appearance of the Avondale Avenue street scene. The

inclusion of new tree planting and soft landscaping to front of the site will serve to soften the proposed built form and to provide screening to the front lightwells. The rear garden will also be landscaped to provide an improved level of communal amenity for future occupiers. A hard and soft landscaping scheme would be secured via condition.

Based on the above assessment, it is considered that the proposed development would comply with Policy DM01 and DM16 in respect of the safeguarding of site trees and ecology. Furthermore, it proposes landscaping enhancements which will improve the visual setting of the building and appearance of the wider Avondale Avenue street scene.

### Energy:

A Sustainability Statement has been provided in support of this application. The methodology used is considered in accordance with Barnet's Sustainable Design and Construction SPD (2016) and the 'Lean', 'Clean', and Green' approach. It concludes that total carbon emissions will be reduced to exceed targets set by Building Regulations. This would be secured via planning condition.

In summary, it is considered that the proposed development represents a significant visual improvement to the current building at the application site, which through its tired and discordant appearance, is detrimental to the character and appearance of the Avondale Avenue street scene and the nominated local heritage assets. The proposed design has sought to incorporate many of the design feature common within the wider street scene and has done so at a scale and within a form which is considered in compliance with Policy DM01 and DM06. The proposed development would also deliver hard and soft landscaping improvements and protect the vitality of neighbouring trees and site ecology in accordance with Policy DM01 and DM16. As noted above, the proposed development has sought to make best use of land, whilst ensuring it does so within a building scale, form and siting which compliments the existing visual and spatial character of Avondale Avenue and its immediate surroundings. Consequently, the proposed development is recommended for approval on character and appearance grounds (Policy DM01).

### **Neighbouring Amenity**

This section will assess the impact of the proposed development on neighbouring occupier amenity. Any impact resulting from trip generation and parking will be assessed in the highways section later in this report.

Paragraph 2.7.1 of Policy DM01 states that:

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

### Overlooking / overbearing:

The proposed development would be located circa 1.5m from the end portion of the rear garden of no.23 Holden Road at a three-storey height (same height as no.1 Avondale Avenue). The rear garden of no.23 adjacent to the application site is characterised by a number of mature trees and planting. These provides some screening between the rear garden of no.23 and the application site. However, the coverage is not comprehensive and

therefore any windows located on the rear elevation of the proposed development would in theory provide opportunities for overlooking from a close distance. To avoid this, all proposed windows and roof lights on the rear elevation and roof slope will be obscure glazed up to 1.8m. This significantly limits opportunities for overlooking. The obscure glazing of the highlighted windows would be secured via planning condition. Further to this, all flank wall windows except those serving the bedroom / study on each level, will be obscured glazed. It is considered that the proposed obscure glazing to all rear-facing windows will mitigate the worst of any overlooking, with any minor overlooking opportunities resulting from flank wall windows occurring from an oblique angle and further screened by the highlighted soft landscaping within the rear garden of no.23. It is not considered that a harmful level of overlooking would occur in relation to no.1 Avondale Avenue. Consequently, it is considered that the proposed development would have on balance, an acceptable impact on the residential amenity of neighbouring occupiers by way of overlooking.

It is acknowledged that the proposed development would be located closer to the rear garden of no.23 Holden Road at first and second floor level and would provide an increased level of enclosure to some flank wall windows at no.1 Avondale Avenue. However, it is considered that any resulting sense of increased enclosure and overbearing impact is acceptable on balance. Indeed, in respect of no.23, the proposed development would impact a small portion of the rear garden, an area which currently benefits from a number of mature trees which assist in screening the application site. As highlighted above, the proposed development would not impact the health and viability of those trees, with any permission subject to tree protection measures to be secured via planning condition. In respect of the flank wall windows at no.1, the proposed development provides a set-in of the flank wall towards the rear of the site to increase the separation between the two sites. As will be shown below, the proposed development broadly protects daylight to flank wall windows at no.1 to above BRE standards.

Any development which seeks to make best use of land in an 'urban' context, will result in some impact on neighbouring residential amenity as a consequence of an increased building scale and footprint. However, it is considered that in this instance, the worst of any potential harm relating to overlooking and overbearing, can be adequately mitigated.

#### Daylight / sunlight and outlook:

A Daylight and Sunlight Study has been provided in support of the proposed development. The study assesses the impact of the proposed development on neighbouring windows and gardens. It uses the Vertical Sky Component, Daylight Distribution and overshadowing of garden assessments to establish whether the proposed impact complies with BRE standards. The results of these assessment are outlined below:

#### *Vertical Sky Component (VSC):*

VSC assesses the percentage of the sky visible from the centre of a window. The submitted study notes that 'Diffuse daylight may be adversely affected if after a development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value'.

Based on the results of the VSC, all neighbouring main habitable room windows assessed pass the Vertical Sky Component test. This is with the exception of Window 10 at no.1 Avondale Avenue which would experience a 19.6% loss (VSC of 13.7%) as a result of the proposed development. Window 10 is the ground floor north-facing flank wall window. It is

worth noting that immediately above Window 10 is a large roof light (Window 11) which serves the same habitable room. This only suffers a loss of 8% with a VSC of 40.5%. This is in excess of BRE standards. Furthermore, there is no loss of direct sunlight to this window given it is north-facing.

Policy 7.6Bd of the Mayors Housing SPG (2016) states that:

*new development [should] avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties as well as within new developments themselves.*

It is considered that given all windows except no.10 would benefit from daylight in excess of BRE standards and taking into account the room associated with window no.10 is also served by window no.11 which provides daylight in excess of BRE standards, it is considered that the proposed development would when applying the VSC test, have on balance, an acceptable impact on the daylight provision of neighbouring habitable rooms.

#### *Daylight Distribution:*

The submitted study states that the daylight distribution test is calculated by plotting the 'no sky line'. The no sky line is a line which separates areas of the working plane that do and do not have a direct view of the sky. Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight, is reduced to less than 0.8 times its former value.

The study concludes that the Daylight Distribution test is based on 'where room layouts are known and that all neighbouring rooms tested (including rooms without a requirement for daylight) pass the daylight distribution test.'

#### *Sunlight:*

In relation to sunlight, the BRE guide states that sunlight availability may be adversely affected if the centre of the window:

- receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
- receives less than 0.8 times its former sunlight hours during either period and;
- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

The submitted study concludes that:

*All windows that face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test and the winter sunlight hours test. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.*

#### *Overshadowing to garden:*

The submitted study states that:

The BRE guide also contains an objective overshadowing test which has been adopted for the purpose of this study. This guide recommends that at least 50% of the area of each neighbouring amenity space should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

The submitted study concludes that:

The results of the overshadowing test show that sunlight availability after the development will be no less than 0.99 times the former value. This is better than the BRE minimum requirement which permits sunlight to be reduced by up to 0.8 times. The proposed development therefore passes the BRE overshadowing to gardens and open spaces test.

It is worth noting that the neighbouring garden at no.23 Holden Road which would be most affected by the proposed increased building height from an overshadowing perspective, would only have 1% of its existing quantum of garden space affected as outlined below:

23 Holden Road:

		Area receiving at least two hours of sunlight on 21 <sup>st</sup> March						
	Total Area	Before		After		Loss		Ratio
Garden 5	47.65m <sup>2</sup>	47.31m <sup>2</sup>	99%	47.31m <sup>2</sup>	99%	0.0m <sup>2</sup>	0%	1.0
Garden 6	160.54m <sup>2</sup>	137.41m <sup>2</sup>	86%	136.96m <sup>2</sup>	85%	0.46m <sup>2</sup>	1%	0.99

For clarity, the proposed development would also not result in any increased overshadowing to adjacent properties at no.1 Avondale Avenue and no.25 Holden Road (Avon Court) as shown below:

1 Avondale Avenue:

		Area receiving at least two hours of sunlight on 21 <sup>st</sup> March						
	Total Area	Before		After		Loss		Ratio
Garden 1	159.22m <sup>2</sup>	136.2m <sup>2</sup>	86%	136.2m <sup>2</sup>	86%	0.0m <sup>2</sup>	0%	1.0

25 Holden Road:

		Area receiving at least two hours of sunlight on 21 <sup>st</sup> March						
	Total Area	Before		After		Loss		Ratio
Garden 4	148.18m <sup>2</sup>	129.57m <sup>2</sup>	87%	129.57m <sup>2</sup>	87%	0.0m <sup>2</sup>	0%	1.0

Based on the above, it is considered that the proposed development would have on balance, an acceptable impact on the residential amenity of neighbouring occupiers by way of daylight and direct sunlight to primary windows serving habitable rooms and overshadowing to rear gardens. Except for window no.10 at no.1 Avondale Avenue, all windows would exceed BRE guidance in respect of daylight, direct sunlight and overshadowing. In the case of the room which is served by window no.10, it is also served

by window no.11 which provides daylight in excess of BRE standards. Together they are considered to provide an acceptable level of daylight to the habitable room in which they serve. Consequently, when considering the highlighted mayoral SPD guidance and the fact all other windows exceed BRE standards in respect of daylight, direct sunlight and overshadowing, the proposed development is considered on balance, to have an acceptable impact on neighbouring residential occupier amenity in compliance with Policy DM01.

#### Basement:

A number of the public comments received in relation to this application have expressed concern about the inclusion of a basement and the potential for subsidence at neighbouring properties. To ensure these concerns are fully addressed, any permission will be subject to a basement impact assessment to be secured as a pre-commencement planning condition. This means that no development works will be allowed to take place until all of the impacts associated with the excavation and construction of a basement on site are known, assessed and appropriately managed.

#### Noise and disturbance:

One of the disturbances expressed as a concern by a number of the public, is from demolition and construction related activities. For clarity, any permission will be subject to a Demolition and Construction Method and Logistics Plan secured as a pre-commencement planning condition. This will ensure appropriate measures are in place to protect neighbouring occupiers from construction-related noise and disturbance, such as hours of construction, dust suppression, the storage of construction materials etc. This will be subject to review by the LPAs Environmental Health Department.

The proposed development would result in an increased level of pedestrian and vehicular comings and goings to the application site. Notwithstanding the impact on parking, which will be discussed in the highways section below, it is not considered that the level of residential trip generation to the site would be in itself out of character in view of Avondale Avenue as a whole, adjacent development on Holden Road such as Avon Court and the density assessment contained above. Indeed, as noted in the principle section above, the application site is located close to Woodside Park Tube Station and North Finchley Town Centre and is proposing a level of residential density considered acceptable in view of the Draft London Plan and density matrix outlined within Policy 3.4 of the London Plan (2016). Internal and external spatial requirements and on and off-street parking capacity will be discussed in the following sections. However, in respect of site comings and goings, it is considered that the level proposed is acceptable in-principle, subject to highways considerations.

In summary, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers by way of overshadowing, overlooking, over bearing and noise and disturbance related to demolition and construction works. Furthermore, appropriate safeguards would be put into place to ensure no excavation and construction of the basement level is undertaken until a full basement impact assessment has been conducted. While it is acknowledged that the proposed building is built closer to the site boundary with no.23 Holden Road up to roof level, than the current two-storey building, it is considered for the reasons discussed above, that the proposed impact is acceptable on planning balance. Furthermore, the impact on the north-facing flank wall windows at no.1 Avondale Avenue is considered acceptable as evidenced by the daylight / sunlight assessment submitted as part of this application. Consequently,

the proposed development is considered in compliance with Policy DM01 and recommended for approval on neighbouring occupier amenity grounds.

### **Future Occupier Amenity**

#### Minimum Internal Space:

The London Plan (2016) and section 2.1 of the Sustainable Design and Construction SPD (2016) set out the minimum gross internal area (gia) space requirements for residential units. Following a review of the internal floor plans, all units are deemed to meet the minimum internal space standards as evidenced below:

Apartment 1: 3-bed, 6-person, 2-storey - 118m<sup>2</sup> provided (102m<sup>2</sup> required)

Apartment 2: 3-bed, 6-person, 2-storey - 118m<sup>2</sup> provided (102m<sup>2</sup> required)

Apartment 3: 2-bed, 3-person, 1-storey - 68m<sup>2</sup> provided (61m<sup>2</sup> required)

Apartment 4: 2-bed, 3-person, 1-storey - 68m<sup>2</sup> provided (61m<sup>2</sup> required)

Apartment 5: 2-bed, 4-person, 2-storey - 115m<sup>2</sup> provided (79m<sup>2</sup> required)

Apartment 6: 2-bed, 4-person, 2-storey - 115m<sup>2</sup> provided (79m<sup>2</sup> required)

It is noted that the study rooms on the second floor for apartment 5 and 6 are big enough to be considered a habitable room and consequently converted into a double bedroom once occupied. A study of the size proposed would normally be resisted given it is often a concern that this is a way of circumventing the minimum internal space standards for flatted units. However, in this instance should the study be converted at a later date into a double bedroom, apartment 5 and 6 would both still exceed the minimum internal space standards outlined above. Indeed, if they were considered as 3-bed, 6-person units, the apartments would be required to provide 102m<sup>2</sup> of GIA. The 115m<sup>2</sup> provided is notably in excess of this requirement. It should also be noted that proposing a study room instead of a double bedroom does not impact the proposed development's parking requirements. The two study rooms were also calculated as habitable rooms for the purposes of the density matrix outlined within this report.

Furthermore, Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design and Construction SPD (Oct 2016) states that bedrooms should meet the following requirements.

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

All proposed single and double bedrooms meet these standards.

#### Outlook and Daylight / Sunlight:

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

A Daylight and Sunlight Study has been submitted to accompany this application. It assesses the daylight and sunlight provision to all habitable rooms and the rear garden. In respect of internal daylight, the submitted study concludes:

All rooms meet or surpass the BRE Average Daylight Factor targets [and] all rooms pass the room depth test.

The results provided for the basement level bedrooms indicate a low level of daylight provision. However, given these are bedrooms and form part of a duplex where the main living space is located at ground floor level, where good levels of daylight, sunlight and outlook are provided, the bedrooms at basement level are considered acceptable on balance. An apartment located solely at basement level would have been resisted.

Based on the results of the highlighted study, all habitable rooms at ground floor level and above would receive a level of direct sunlight in excess of BRE standards, with no single-aspect north-facing apartments proposed.

The results of the submitted study confirm that the rear garden at the application site fails to meet the BRE recommendations which calls for an open space to appear adequately lit throughout the year, with at least 50% of its area receiving two hours of sunlight on 21st March. As noted above, the Mayors Housing SPG (2016) requires a flexible approach to daylight and sunlight assessments, particularly in urban settings. It is noted that the rear garden does not fall short of the BRE recommended guidelines due to the impact of the proposed development. Indeed, the garden falls short because of the spatial constraints of the site in respect of its size and siting. Therefore, in view of the spatial constraints of the site, the fact that the BRE shortfall is not as a consequence of the proposed developments size or siting and taking account of the Mayors' SPG guidance, the proposed daylight provision to the rear garden is considered acceptable on balance.

#### Floor-to-ceiling heights:

Table 3.3 of Policy 3.5 of the London Plan (2016), states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling.

Each of the proposed apartments meet this standard.

#### Stacking:

The proposed floor stacking is considered acceptable subject to appropriate sound proofing measures being introduced in line with relevant building control regulations. Indeed, the proposed floor plans broadly provide living rooms above living rooms. Where a living room sits above a bedroom, this occurs within a duplex apartment.

#### Amenity Space:

Table 2.3 of Section 2.3 of the Sustainable Design & Construction SPD (2016), states that for flats, 5m<sup>2</sup> of usable amenity space is required per habitable room. The proposed development comprises 28 habitable rooms. Therefore, based on the standards highlighted above, the proposed development would be required to provide 140m<sup>2</sup> of external amenity space. The proposed development would provide 150m<sup>2</sup> of external amenity space via a communal rear garden which in quantum terms, would exceed the highlighted minimum external space standards. However, as outlined in the daylight / sunlight section above, the rear garden would fall short of BRE standards in respect of sunlight. Section 8 of Barnet's Residential Design Guidance SPD (2016) states that useable communal amenity space should amongst other things:

*- Receive adequate sunlight relative to the defined purpose of the space;*

- *provide sufficient shade where necessary;*
- *ensure a good external noise level;*
- *be screened from parking and public areas to ensure privacy;*
- *Be easily accessible and legible to all occupants;*
- *Be overlooked by habitable rooms to ensure safety*

While the amenity space would fall short of the BRE guidance in respect of sunlight, it is considered that it complies with all other highlighted guidance. Furthermore, the quantum of external amenity space would exceed the minimum requirements by 10m<sup>2</sup> and provide internal space at levels in excess of minimum standards. Therefore, given there is additional internal and external capacity, the fact the external amenity space complies with all other criteria highlighted above and when considering the spatial constraints of the site in respect of the rear garden, it is deemed that the proposed communal amenity is on balance, sufficiently usable.

#### Accessibility:

The proposed development would provide level access and a lift to all apartments. Therefore, it complies with M4(2) regulations.

In summary, it is considered that the proposed development would, on balance, provide an acceptable level of amenity for future occupiers. Indeed, the proposed development would provide a quantum of internal and external amenity space in excess of the minimum space standards and a level of daylight and direct sunlight to habitable rooms in compliance with BRE standards. Therefore, this application is recommended for approval on future occupier amenity grounds.

#### **Highways**

The proposed development would provide four off-street parking spaces to the north of the site where garages and site vehicular access is currently located. The proposed development would also require minor alterations to the on-street parking bay to the front of the application site. This would not result in the loss of an on-street parking space. As previously highlighted, the application site has a PTAL (Public Transport Accessibility Level) rating of 3 which represents an average level of site accessibility. Avondale Avenue has a Controlled Parking Zone (CPZ) in place (Resident Permits - Monday to Friday 2pm - 3pm), as has the Holden Road to the north (Resident Permits - Monday to Friday 2pm - 3pm and Charged for parking Monday to Saturday 9am - 5pm).

Based on Policy DM17 and the number and mix of units shown, the proposed development would have a maximum off-street parking requirement of 6 to 9 spaces. Given the application site's proximity to Woodside Park Tube Station and North Finchley Town Centre, its PTAL rating of 3 and its location within a CPZ, a parking requirement at the lower end of the range would normally be sought. However, consideration is also given to the residential parking requirements outlined in Policy T6.1 of the Draft London Plan. This policy notes that for a new residential development in outer London, with a PTAL rating of 3, a maximum of up to 0.75 parking spaces per unit should be provided. The policy goes on to state that:

*New residential development should not exceed the maximum parking standards set out in Table 10.3. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category.*

Based on the highlighted draft London Plan policy, the proposed development would have an off-street maximum parking requirement of 4.5 spaces. Therefore, if the proposed development is assessed against the draft London Plan maximum parking standards and the site's location and PTAL rating is taken into account, it is considered complaint on highways grounds.

However, comments received during public consultation regarding concerns about on-street parking congestion are noted. Therefore, the applicant has agreed that any permission granted will be subject to a s.106 agreement preventing future occupiers from obtaining parking permits. Consequently, the proposed development would not only comply with the parking standards outlined within the draft London Plan, but would provide additional safeguards by restricting future occupiers from obtaining parking permits.

Trip generation:

A Transport Assessment (TA) has been submitted as part of this application which provides the following view of future trip generation to and from the site:

<b>Table 6.1: Total Trip Rates and No. of Trips for Proposed Development</b>			
<b>Time Period</b>	<b>Proposed Residential Use (7 Units)</b>		
	<b>Arrive</b>	<b>Depart</b>	<b>Two-Way</b>
<b>AM Peak (08:00 – 09:00)</b>	0.060 (0)	0.338 (3)	0.454 (3)
<b>PM Peak (17:00 – 18:00)</b>	0.255 (2)	0.124 (1)	0.379 (3)
<b>Daytime (07:00 – 19:00)</b>	2.090 (15)	2.124 (15)	4.214 (29)

The TA concludes that the:

level of activity will have no discernible impact on the local transport network, with movements well within general day to day variations of activity.

The LPA's Highways Department has reviewed the detail contained within the TA which relates to trip generation and has raised no objection regarding the highlighted conclusion.

Parking Beat Survey:

The submitted TA shows details of a Parking Beat Survey conducted at 1am on both Wednesday 12th September 2018 and Thursday 13th September 2018. The parking beat survey concludes that the level of parking utilisation on local roads is 77%-79%, with 30-32 spaces available. A summary of the Parking Beat Survey data is shown below:

Table 6.3: Summary of Parking Beat Survey						
Road	Wednesday 12 <sup>th</sup> September at 01:00			Thursday 13 <sup>th</sup> September at 01:00		
	Parked	Free Spaces	Utilised (%)	Parked	Free Spaces	Utilised (%)
Holden Rd	26	5	84%	26	5	84%
Holden Ave	12	12	50%	12	12	50%
Avondale Ave	53	9	85%	51	11	82%
Gainsborough Rd	20	4	83%	20	4	83%
<b>Total</b>	<b>111</b>	<b>30</b>	<b>79%</b>	<b>109</b>	<b>32</b>	<b>77%</b>

The proposed development would result in the loss of 12 garages located onsite. The applicant has provided a letter from an estate agent confirming that all 12 garages are now vacant. The letter notes that the garages are now generally too small for the modern car and as a consequence they have been primarily let for storage. The letter confirms that garage no.6 was previously used to store a small sports car which was not accessed on a regular basis. Given their lack of use and dimensions, it is not considered that the loss of the 12 garages would lead to an increased stress on on-street parking capacity on Avondale Avenue. Furthermore, their loss provides an opportunity to make more efficient use of the application site and improve its visual appearance to the benefit of the wider street scene and previously highlighted local heritage assets (nominated).

The submitted TA concludes that:

*The level at which parking stress is usually considered to occur is 90%. Based on the survey data, there are 15 spaces available on-street for vehicles to park before the 90% parking stress threshold is reached. This level of residual capacity is sufficient to comfortably accommodate the forecast overspill parking generated by the proposed development and relocated vehicle currently stored on-site at a total of one space.*

The LPA's Highways Department has reviewed the TA and Parking Beat Survey results and are satisfied that subject to conditions and a s.106 restricting future occupiers from obtaining parking permits, that the proposed development would not give rise to a harmful level of additional on-street parking stress on Avondale Avenue and adjacent streets. Furthermore, it is considered that given the proximity of the application site to Woodside Park Tube Station, not all future occupiers and visitors will access the site, or travel to work via car, as outlined in paragraph 6.5 of the submitted TA.

#### On-street parking amendments:

The proposed development proposes to make an alteration to the parking bay layout to the front of the application site, moving a space to the south to allow a slight amendment to the location of the site's crossover. These changes would not lead to the loss of an on-street parking space. The LPA's highways department has reviewed the proposed amendments to the on-street parking bay and are satisfied subject to a s.184 licence and the applicant paying the costs of the works.

#### Deliveries and refuse collection:

Deliveries and refuse collection will take place via Avondale Avenue. The LPA's Highways Department are satisfied within this arrangement.

#### Cycle:

12 cycle parking spaces have been provided at basement level in compliance with Policy 6.9 of the London Plan (2016). The cycle parking is accessible via a lift. The cycle parking and access provision is considered acceptable and will be secured via condition.

In summary, it is considered that the proposed development is acceptable on highways grounds. The four off-street parking spaces comply with the maximum parking requirements outlined with Policy T6.1 of the Draft London Plan and are acceptable in view of Policy DM17 given any permission would be subject to a s1.06 and the restriction of future occupiers from obtaining a resident parking permit. The TA submitted as part of this application provides a Parking Beat Survey which indicates on-street parking capacity on Avondale Avenue and adjacent streets. It is acknowledged that a number of comments received as part of the public consultation associated with this application, have raised on-street parking capacity as a concern and queried the validity of the Parking Beat Survey results. However, the LPA's Highways Department has reviewed the information submitted, the results of the Parking Beat Survey and the conclusions reached, and are satisfied that with four off-street parking spaces and a s.106 agreement in place to restrict future occupiers from obtaining residential parking permits, that sufficient safeguards are in place to recommend approval on highways grounds.

## **Refuse**

Refuse and recycling bins have been located to the north of the site adjacent to the site boundary with Avon Court and the site's onsite parking area. The bins would be stored within a bin enclosure located within 10m of the public highway. Any permission would be subject to a condition requiring exact details of the design and capacity of the bin storage to be provided and agreed. As highlighted, the bin storage will sit behind soft landscaping which will provide additional visual screening of the bins from the public highway. Therefore, it is considered that the proposed bin storage is acceptable subject to condition.

## **5.4 Response to Public Consultation**

All public comments have been received and acknowledged. Where they address material considerations, they have been discussed in the report above. For clarity please see below:

- Represents over-development with density uncharacteristically high for Avondale Avenue.

See principle section for reference to density.

- Balconies would overlook adjacent properties and are out of character:

Balconies have now been removed from the proposed building design.

- Flatted development is out of character for Avondale Avenue which is characterised by 4-bed single-family dwellings:

See principle section above.

- The overall building aesthetic is well considered and would be a significant improvement to the existing house. However, it represents an over-development given the number of flats and lack of onsite parking:

See principle, character and highways section.

- A number of adjacent buildings have been proposed to be added to the Local Heritage list. Many of the properties retain their original Edwardian character and features. The proposed development at Zero will dwarf the surrounding houses and features balconies which are not in keeping:

See character section. The balconies have now been removed from the proposed building design.

- The bin storage should be located to the rear of the building out of sight:

See character section. Bins will be located behind screening and soft landscape.

- The inclusion of a basement is out of character:

See character section.

- The use of render on the elevations is a concern and can result in staining over time:

See character section. Any permission would be subject to a condition requiring exact details of proposed facing materials to be agreed.

- A number of adjacent properties have previously suffered subsidence. The proposal to build a basement increases the risk of subsidence to the neighbouring property. Any consent should be subject to a basement impact assessment to assess the potential risk:

A Basement Impact Assessment will be secured via planning condition.

- There are concerns that the proposed development will lead to a loss of light to neighbouring windows:

See neighbouring occupier amenity section and results of the submitted Daylight and Sunlight Study.

- The proposed balcony on the top floor will overlook no.1 and intrude on privacy:

This has now been removed from the proposed building design.

- Flats 5 & 6 are clearly 3-bed flats and not 2-bedroom flats. To class the rooms as 'study' means that these are not habitable spaces and whilst this has no impact on the parking provision, the two additional double bedrooms will have an impact in reality:

The proposed apartments would meet the minimum space standards irrespective of whether the rooms marked as 'study' are used as a study or a double bedroom. They were calculated as habitable rooms for the purposes of the density matrix assessment.

- Building works will cause a high-level of noise and disturbance. This needs to be managed properly through a demolition and construction method statement.

See neighbouring occupier amenity section. A Demolition and Construction Method Statement would be secured via a pre-commencement planning condition.

- The building would overshadow and provide an overbearing impact on the neighbouring rear gardens.

See neighbouring occupier amenity section.

- Not Part M compliant in relation to disabled occupiers and fire and safety standards.

The proposed development would be subject to a M4(2) compliance condition. The London Fire Brigade has stated that they have no objection to the proposed development on fire safety grounds

- Loss of garages and provision of only four onsite parking spaces will result in a net loss of off-street parking:

See highways section.

- Family-sized units and associated car ownership will add to parking congestion and stress on the adjacent street network.

See highways section.

- Surrounding street network is congested owing to resident and commuter parking. The proposed development will add to this stress. Additional onsite parking should be provided.

See highways section.

- Any future occupiers should be restricted from obtaining resident parking permits.

Any permission would be subject to a s.106 agreement restricting future occupiers from applying for parking permits.

- The result of the Parking Beat survey conducted in September 2018 does not present a fair representation of true parking demand in the vicinity or likely trip generation, and a more rigorous study should be completed. Overnight parking is often difficult to find within reasonable walking distance.

See highways section.

- The proposed parking survey does not take into account visitor parking demands.

See highways section.

- Any consented scheme should be car-free given the limited off-street parking provided and on-street parking strain currently experienced.

Any permission would be subject to a s.106 agreement restricting future occupiers from applying for parking permits.

- The provision of basement cycle storage should have a lift that is proportionally suitable to accommodate the bikes. The proposed lift is too small and the use of stairs would be a DDA issue.

See highways section.

## 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

It is considered that the proposed development would represent a significant improvement to the character and appearance of the application site, Avondale Avenue and the nominated local heritage assets highlighted within the above report. Indeed, the proposed development would replace a tired and discordant dwelling with a building design and scale which balances making most efficient use of the land, whilst safeguarding the character of Avondale Avenue. It is considered that the likely impacts on neighbouring residential occupier amenity resulting from the proposed development are on balance acceptable and can be adequately mitigated through design interventions and tree protection measures. The proposed development would also provide an acceptable level of future occupier amenity, providing a sufficient quantum and quality of internal and external space. Lastly, the proposed development has been assessed against local and draft London Plan policy and subject to a s.106 agreement to restrict future occupiers from obtaining a residential parking permit, the scheme is considered acceptable on highways grounds. Consequently, based on planning balance, the proposed development is considered policy compliant and recommended for approval.

