

## Dollis Valley Estate

in the London Borough of Barnet

planning application no. B/00354/13

### Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

### The proposal

A hybrid (part outline/part detailed) planning application for phased residential redevelopment of the site to provide up to 631 residential units, replacement community space, new open space and infrastructure, comprising:

- Outline proposals for demolition of the existing buildings and the erection of up to 523 residential units (phases 2-5), together with new public open spaces, junction improvements to the existing access onto Mays Lane, enhanced pedestrian, cycle and public transport facilities, car parking, infrastructure and other ancillary works.
- Detailed proposals for demolition of the existing buildings, including the former, now closed, Barnet Hill School and the construction (phase 1) of 108 new residential units, 417 sq.m. of non-residential floor space (new community and nursery space), together with public open space, the creation of a new vehicular access to Mays Lane, car parking, bicycle storage, infrastructure and other ancillary works.

### The applicant

The applicant is **Countryside Properties Ltd** in association with **London & Quadrant Housing Trust**, and the architects are **Alison Brooks Architects**.

### Strategic issues

The issues addressed at this stage are: **urban design, transport, energy** and **surface water run-off**.

### The Council's decision

In this instance Barnet Council has resolved to **grant** permission.

### Recommendation

That Barnet Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

## **Context**

1 On 15 February 2013, the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Categories 1A and 1B of the Schedule to the Order 2008:

1A: *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*

1B: *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings — (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*

2 On 28 March 2013, the Mayor considered planning report D&P/2954b/01 and subsequently advised Barnet Council that the application did not comply with the London Plan, for the reasons set out in paragraph 107 of the above-mentioned report; but that the potential remedies also set out in that paragraph of the report could address those deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 17 June 2013, Barnet Council resolved to grant planning permission for the revised application, and on 3 July 2013, it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Barnet Council under Article 6 to refuse the application or issue a direction to Barnet Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 16 July 2013 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 The decision on this case and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## **Update**

6 Following issue of the consultation stage report, the applicant has submitted a joint GLA/TfL Information Pack (4 June 2013) to address the strategic planning concerns raised by the GLA. The following paragraphs provide a review of that response, which relates to urban design, transport, energy and surface water run-off:

### **Urban design**

7 In broad terms, the design of the scheme was supported in principle; however, further work was required to ensure that the design parameters would secure the quality of the apartment blocks, parking courts and gable ends of houses so that they all contributed to the creation of a high quality environment.

8 Commenting on the design aspects of the proposals, GLA officers requested additional information on the indicative plans, to allow a greater assessment to be made of the outline application prior to submission of the “reserved matters” applications. Specific details were

required on how the apartment blocks, parking courts and the spaces around them would be secured to ensure they did not become havens for anti-social behaviour. A clear threshold between the public realm and those areas was recommended; as was the use of adequate fenestration to provide some relief to the vast expanse of blank wall on the gable ends of the houses, particularly at the corner of perimeter blocks.

9 In response to these requirements, the applicant has highlighted those sections of the GLA/TfL Information Pack that cover the areas of concern. Particular reference is made to the following sections:

- Section 5.5.11 – *Active frontages*. Promotes a site-wide approach to passive surveillance and safe environments.
- Section 5.10.7 - *Building heights, privacy and context*. This prescribes how the massing of the apartment blocks is articulated in relation to the neighbouring houses. It also relates to the design quality.
- Section 5.10.9 - *Terrain slope and building heights*. Images from the apartment block study reveal how the blocks ‘wrap around’ the parking areas, which ensures overlooking and safety. It also demonstrates the feasibility of the proposed undercroft parking.
- Section 6.10.4- *Semi-private communal courtyards*. This mentions the covered car park areas and provides further indication of the undercroft parking possibilities.
- Section 7.2.8 - *Large and varied windows and doors*. This illustrates the provision of large windows on the proposed gable ends.
- Section 7.4.3 – Indicates gable end windows to provide active frontages.
- Section 7.8 – Provides design principles for the apartment blocks.
- Section 7.11.2 - *Refuse stores for apartment blocks*. Although indicative, the plans demonstrate that the provision of entrances to ground floor units directly off the public realm, have been fully considered
- Section 8.2.1 - *Avenues and landmark buildings*. This covers design considerations for the landmark buildings.
- Section 9.6 - *Management and security*. This refers to Secured by Design and the parking courtyards.
- Section 9.10.2 - *Cycle stores in apartment buildings*. Reference is made to bins and cycle store forming the flanks for the gates to parking courtyards.
- Section 10.5 - *Use and amount*. The house type elevations show the gable ends with windows.
- Section 11.6 - *Secured by Design*. This provides minutes from two meetings with the Metropolitan Police (Barnet) and notes on access and security within the apartment block parking courtyards.

10 In addition, the applicant has revised chapter 7.0 *Building design guidelines* (paragraphs 7.8 and 7.9) of the submitted design & access statement, to expand the building design guidelines provided for the apartment blocks in the outline element of the application and landmark buildings. Those revisions are specifically intended to satisfy the GLA that sufficient

design measures in place to ensure that future reserved matters applications for the apartments would meet the high design standards expected.

11 This collates the information from other chapters of the D&AS and provides further guidance on the range of issues such as massing strategy, sun path and massing; building heights and context; appearance, materials, fenestration strategy, roofs, balconies, internal circulation, private and semi-private amenity spaces; green buffers, street frontage, overlooking the new-built dwellings, overlooking the existing dwellings and privacy. Guidelines on parking court, access, boundaries and measures on how the courts would be secured to ensure they do not become vulnerable to anti-social behaviour are all expanded.

12 On the whole, the applicant has responded positively and comprehensively to resolve the design concerns raised at the consultation stage.

## **Transport for London's comments**

13 At stage 1, a number of issues were highlighted in relation to transport, including the excessive car parking ratio, the capacity of the A1000 Barnet Hill/ Underhill junction, the extension of bus route 326 through the site and the quality of the pedestrian network.

14 Despite previous recommendation, the proposed car parking level remains at 788 spaces. Whilst TfL expects that they may impact on the local highway network, Barnet Council advises that this level complies with its adopted parking standards, is still within the London Plan maximum and is therefore appropriate in this area. Having reviewed further assessment work, the Council also expects that the impact of additional vehicular trips at the Underhill junction would be negligible. TfL notes this and welcomes the fact that additional measures, including a car parking management plan, electric vehicle charging points and a financial contribution towards the review and implementation of local parking controls have been secured by s106 agreement.

15 Having welcomed the provision of 987 cycle parking spaces across the site, TfL supports that details of the location of stands and storage facilities to serve each phase of development would be secured by condition.

16 Whilst TfL welcomes the fact that the development layout would facilitate the extension of bus route 326 to serve the entire site, it is acknowledged that the constrained road network only permits one-way functioning. In order to ensure that buses continue to serve the site during the construction period, the requirement for temporary routing and stopping arrangements would be secured through the construction logistics plan. Furthermore, for the operational phase, details of bus routing, swept paths, junction design, and the provision of new stops within the site would be secured by conditions and funded through a section 278 agreement with Barnet Council.

17 In order to encourage sustainable travel, TfL welcomes the various measures identified in a pedestrian (PERS) audit, which will be secured by planning condition and funded through the section 106 agreement with Barnet Council. TfL also supports the contribution of £300,000 that has been secured toward improving the Dollis Valley Green Walk and the provision of cycle and pedestrian pathways linking it to the development site.

18 Other measures that have been secured through planning conditions or legal (section 106) agreement include residential and workplace travel plans along with a £35,000 monitoring contribution, construction & traffic management plan and a delivery & servicing plan.

## **Energy issues**

19 At consultation stage, the energy strategy for the scheme was found to be broadly compliant with the London Plan energy policies, except for a lack of detail relating to the

installation of photovoltaic (PV) panels on the roofs of the proposed buildings. In particular, the applicant was requested to provide a drawing and more detail of the solar PV in relation to installations on each dwelling type, orientation, potential shading etc.

20 Whilst the subsequent drawing (2346\_A\_134 rev. B.) identified potential locations, the actual area (in sq.m.) of PV panels to be provided was not confirmed. However, given that the majority of the carbon dioxide savings would be achieved via the use of PV, GLA officers have calculated that in order to meet the 25% carbon reduction target set in London Plan Policy 5.2, the applicant would need to commit to the provision of a minimum area of 720 sq.m. (or 106kWp) of photovoltaic output.

21 To secure that commitment, GLA officers have suggested that the following condition be included on Barnet Council's planning approval notice:

*A minimum, 720 sq.m. (or 106kWp) of photovoltaic panels (or output) should be installed across Phase 1 to ensure that the 25% carbon reduction target set in London Plan Policy 5.2 is achieved. The photovoltaic system on each dwelling shall be fully installed and fully operational prior to the first occupation of that dwelling and shall thereafter be maintained in accordance with the approved details.*

*Reason: To ensure a sustainable development, in accordance with policies 5.2 and 5.3 of the London Plan (July 2011); and policies DM01 and DM02 of the Barnet Local Plan.*

22 Barnet Council officers have subsequently agreed, in consultation with the applicant, to include a slightly modified version of the proposed condition and to include the relevant drawing number 2346\_A\_134 Rev B (Roof Plan), which is entirely acceptable; thereby resolving the only outstanding energy issue arising from the initial referral to the Mayor.

## **Surface water drainage**

23 Given the significant extent of the site, its proximity to the head of the local catchment and a history of surface water flooding in the near vicinity, the applicant was requested to investigate opportunities for a greater proportion of the water to be attenuated within the site in line with the objectives of London Plan policy 5.13 (*Sustainable Drainage*).

24 In response, the applicant referred to the relevant sections of the flood risk assessment to explain why the use of other sustainable urban drainage methods and greenfield run-off rates could not be achieved. These include the presence of underlying London Clay that makes it impractical to implement infiltration techniques; the high density of development that constrains the construction of wetlands, ponds or retention basins.

25 The FRA also makes clear that achieving the Environment Agency and Mayor's preferred standard of 100% reduction would not be viable. These points are reflected in paragraphs 5.219 to 5.229 of the Planning Statement. Other potential sustainable urban drainage (SUDs) measures to those already proposed have been considered and are either not practical given the higher density nature of the scheme or viable given the marginal economic viability of the scheme. Hence, the proposed 76% reduction represents a significant improvement over the Mayor's 50% 'essential' standard and the absolute maximum that can practicably and viably be achieved at this site. It should also be noted that the formal consultation response from the Environment Agency was as follows:

*"We are satisfied that the applicant has met the minimum requirements of the National Planning Policy Framework and the London Plan by demonstrating that surface water can be dealt with on site using green roofs, permeable paving, tanks, pipes and green spaces as temporary storage."*

26 On balance, the applicant's explanation as to why a further proportion of surface run-off cannot be attenuated within the site is entirely plausible; and the measures originally suggested at the consultation stage have been shown to be the most feasible for the proposed development.

## **The proposed legal agreement**

27 Barnet Council's resolution to grant permission is subject to the completion of a legal agreement to secure delivery, or a financial contribution towards delivery, of the following obligations:

- The delivery of 40% affordable housing (by unit) comprising 250 affordable dwellings, comprising 230 for renting and 20 for intermediate occupation. The accommodation should deliver a range of 1, 2, 3 and 4 bedroom units in the form of houses and apartments, all with access to private amenity space.
- A nursery school of 117sq.m. constructed to the minimum Department for Education and Skills (DfES) standards and capable of accommodating 25 children in accordance with phase 1 of the development hereby permitted.
- A community centre of 300sq.m. in accordance with phase 1 of the development.
- £800,000 index-linked towards the design and rebuilding of the King George V Pavilion and upgrades and improvements to existing pitches at King George V playing fields in the vicinity of the development.
- £300,000 index-linked towards improvements to and creation of new local playgrounds or skate parks in the vicinity of the development to support outdoor leisure, play and recreation.
- £300,000 index-linked towards improvements and/or extensions to the pedestrian and cycle network of the Dollis Valley Green.
- £300,000 (index-linked) towards funding the Council's Skills Development Coordinator and the delivery of an Employment and Training Strategy. The latter would deliver skills, enterprise, employment and training opportunities informed by a skills audit of existing residents to be carried out by the applicant and agreed by the Council. The strategy shall include measures to secure the delivery of 4 apprenticeships per year for a period of 2 years for local people.
- The provision of a minimum of three Level 2 apprenticeships, including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework.
- The provision of cycle and pedestrian pathways linking the site to the Dollis Valley Greenwalk in accordance with a scheme to be agreed with the local planning authority.
- Submission of a tree replacement strategy to the local planning authority to secure planting of 386 trees on and off the site.
- A travel plan for the residential, community and nursery uses on the site, to stimulate a shift in the choice of travel mode available to residents and reduce reliance on the use of the private car. The plan should include a financial contribution of up to £300 per unit (up to a maximum of £189,300) towards the cost of travel vouchers for car club membership, oyster card credit or cycle vouchers for each residential unit; and in line with those

incentives, the provision of a car club and allocation of two car spaces at different locations on the site for use by the car club.

- £35,000 to Barnet Council towards the cost of promoting more sustainable modes of transport and of monitoring the travel plan to be submitted for the development.
- The applicant shall make a contribution of £15,000 towards the review of parking controls in the local area. A further £15,000 shall be paid to implement any necessary additional controls as a result of the review.
- Provisions to secure pedestrian improvements in the vicinity of the site, as identified in the Pedestrian Environment Review (PERs) audit, including upgrades to crossing facilities.
- Payment of the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

28 These obligations would be enforceable in accordance with a timetable to be agreed in writing with the local planning authority

## **Response to consultation**

29 Barnet Council advertised this application on site, in the local press and by consultation letters to over 4,000 neighbouring addresses. A number of statutory bodies, public organisations and local amenity groups were also consulted.

30 Of the 26 written replies received by the Council from neighbouring occupiers, 17 were objections, 6 were in support of the proposals and 3 were comments neither in support nor objection to the scheme.

## **Local representations**

31 The six letters of support includes one submitted by Theresa Villiers MP on behalf of 26 signatories within her constituency. The reasons for their support were that:

- The development would inspire more of a community spirit as the estate is currently so isolated.
- The design of the scheme would have an aesthetically positive impact on the estate and the locality as a whole.

32 Objections were lodged against the scheme on the following grounds:

### Traffic and transportation

- A significant increase in traffic flow through the estate.
- Added pressure on local parking with adverse impact on the free flow of traffic on Mays Lane.
- Inadequate parking for the new estate and subsequent displacement of parking for vehicles that normally park within the estate.
- Road widths too narrow, thereby restricting traffic flow and vehicle movement.

- Adverse impact on the junction of Mays Lane and Bedford Avenue given the position of the proposed new access road which would be used by buses.
- Adverse impact on the already congested Mays Lane/ A1000 junction
- No survey of traffic between Dollis Valley Way and Hammond Close.
- Benchmark developments against which a traffic increase on the redeveloped estate would be managed are of a much lower scale and are therefore not comparable.
- The position of the automatic traffic counter installed on Mays Lane is unknown and may therefore be irrelevant.
- The times and dates of the traffic survey data are not specified in the Environmental Statement and may therefore not be relevant
- The information on the frequency of the 326 bus route within the Environmental Statement is inaccurate.

#### Amenity issues

- The proposed dwellings in phase 1 sited to the rear of properties on Mays Lane would cause overshadowing to rear gardens
- The development of the land to the rear of Mays Lane would result in the loss of existing and established vehicle and pedestrian rear accesses.
- The siting of Block 13 in phase 1 would cause overlooking to the properties and gardens in Hardy Close resulting in a loss of privacy.
- The proposals result in existing residents being adjoined by affordable housing units rather than private properties which will lead to problems of noise, rubbish and antisocial behaviour.
- The proposals will result in loss of existing legal rights of access of land.
- The proposed 3 storey (DV7's) dwellings to be built as part of phase 1 backing onto Mays Lane properties would be obtrusive and overbearing given their scale and proximity and would result in overshadowing and a loss of privacy.
- Proposed first floor balconies on the proposed DV7 dwellings will be aesthetically displeasing likely to be used for storage appearing untidy.
- The introduction of 3 storey houses to the rear of properties on Mays Lane will result in a loss of light and visible sky to properties and gardens.
- First floor balconies on DV7 dwellings in phase 1 backing onto properties on Mays Lane will result in overlooking and loss of privacy to garden areas and first floor rear windows where bedrooms are sited.
- Given the layout of the dwellings in phase 1 and the pairing of properties, some properties on Mays Lane would be overlooked by two first floor balconies rather than one.



- Noise and disturbance resulting from the new dwellings given their size and ability accommodate large numbers of people per household as well as having external communal leisure spaces on the first floor (in the form of balconies).
- Taller buildings should be sited at southern end of the site where levels fall away to reduce the impact on existing residents
- Existing Mays Lane properties adjoining phase 1 will be surrounded by roads on 3 sides as a result of proposed layout
- Noise and disturbance from residents of the estate and users of the Playing Fields
- Noise and disturbance from the traffic use of the new access road traffic and the re-routed bus exit point.
- Overlooking as a result of the use of the new central access road into the estate.

#### Character of the estate

- The new dwellings on Mays Lane would be out of character with the existing dwellings
- Size of new Block on Mays Lane, due to its width, scale and height would have an overbearing impact to the west, out of keeping with existing terrace of cottages. Should be reduced to 3 storeys.
- New houses/roads on all sides changing the nature of the road
- Overdevelopment of the site.

#### Environmental concerns

- Noise and dust during construction.
- Loss of trees and habitats for wildlife and birds that will not be replaced by new planting proposals.
- Existing trees outside of the site are incorrectly located on the plans and are marked for removal in the tree survey plan accompanying the arboricultural report.

#### Social and community impacts

- No retail units are provided within the new development
- Loss of green space including school playing field and open space at the top of Dollis Valley Way
- Pressure on local schools which are already oversubscribed
- Impact of the regeneration on the non-secure tenants on the existing estate that will not be re-housed within the scheme and possibly not within the borough
- Redevelopment combined with the closure of the Barnet Police will lead to higher crime rates
- The area would benefit from a leisure/ fitness centre as there is not a great provision locally

- Increased pressure on Local health facilities and hospitals
- The consultation has not been clear on the extent of the area included within the regeneration area.

33 A full response to each of these objections was provided in the officers' report to Barnet Council's Planning and Environment Committee, prior to its resolution to grant planning permission.

### **Statutory bodies and public organisations**

#### English Heritage

34 English Heritage raised no objection provided that a condition is imposed to ensure that the archaeological position is reserved.

#### Environment Agency

35 The Environment Agency was satisfied that the applicant had fulfilled the requirements of the NPPF and the London Plan in demonstrating that surface water could be managed on site, using green roofs, permeable paving, tanks, pipes and green spaces as temporary storage. It recommended a condition to secure the implementation of those measures.

#### Natural England

36 Natural England confirmed that the proposal did not affect any statutorily protected sites or landscapes, or significantly impact on the conservation of soils. Natural England was unable to assess the survey for badgers, barn owls, breeding birds, water voles, widespread reptiles or white-clawed crayfish; all of which are protected by legislation. It therefore urged Barnet Council to assess the impact of the development on these species, using its standing advice.

#### Sport England

37 Following consultation with the Lawn Tennis Association and England Hockey Board, Sport England underscored the need for the Council and/or applicant to consider the sporting needs that would arise from this significant development.

38 In a report to the planning committee, Barnet Council officers noted that the local tennis courts at the Old Courthouse Recreation Ground were maintained by the Council and in good condition, though an upgrade of their quality might be required in future. A package of measures to enhance and promote play, leisure and recreation facilities on and off-site has also been secured by legal agreement. The applicant's contribution is specifically intended for sport and community facilities that are currently deficient or in urgent need of improvements. It includes a contribution towards local playgrounds, given a recognised deficiency in children's play provision in the local area, as well as improvements to local playing pitches.

#### Thames Water

39 Thames Water raised no objection to the proposals, but it advised that a number of public foul and surface water sewers passed through the application site, serving properties and customers outside the site boundary.

40 As many of those sewers require diversion to avoid being built upon, the developer was required to agree a drainage strategy with Thames Water Developer Services, to ensure that existing customers were adequately drained and continued to remain so during the course of development; that the diversion routes proposed were acceptable in design, capacity and

construction; and that the diversions or proximity of any proposed buildings did not inhibit or restrict access to any new or existing public sewer manholes for maintenance purposes.

Highways Agency

41 The Highways Agency raised no objection.

Metropolitan Police

42 The Metropolitan Police raised no objection to the proposal, commenting that the applicant had shown a commitment to incorporating the principles of 'Designing Out Crime' with due regard to its Secured By Design scheme.

National Grid

43 The National Grid advised that due to the presence of apparatus in the area, the development contractor should notify the National Grid before any works were carried out, to ensure that the apparatus is not affected by the proposed works.

London Fire Brigade

44 The Fire Brigade confirmed that the proposals were satisfactory with regard to access, and noted that any gates should be easy to open by fire fighters' override switch or similar.

Affinity Water

45 No response received.

Barnet Wildlife Trust

46 No response received.

Barnet Primary Care Trust

47 No response received.

## **Article 7: Direction that the Mayor is to be the local planning authority**

48 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

## **Legal considerations**

49 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and

the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

## **Financial considerations**

50 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

51 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

52 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

## **Conclusion**

53 The long overdue regeneration of this run-down Council housing estate is strongly supported and the priority is to ensure it remains viable to create a high quality suburban place and a mixed, tenure-balanced and successful community.

54 As indicated in the preceding paragraphs of this report, the issues arising from the consultation stage have been satisfactorily resolved to facilitate the implementation of a strategically acceptable form of development in this suburban location.

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planning report PDU/2954b/01

28 March 2013

## Dollis Valley Estate

in the London Borough of Barnet

planning application no. B/00354/13

### Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

### The proposal

A hybrid (part outline/part detailed) planning application for phased residential redevelopment of the site to provide up to 631 residential units, replacement community space, new open space and infrastructure, comprising:

- Outline proposals for demolition of the existing buildings and the erection of up to 523 residential units (phases 2-5), together with new public open spaces, junction improvements to the existing access onto Mays Lane, enhanced pedestrian, cycle and public transport facilities, car parking, infrastructure and other ancillary works.
- Detailed proposals for demolition of the existing buildings, including the former, now closed, Barnet Hill School and the construction (phase 1) of 108 new residential units, 417 sq.m. of non-residential floor space (new community and nursery space), together with public open space, the creation of a new vehicular access to Mays Lane, car parking, bicycle storage, infrastructure and other ancillary works.

### The applicant

The applicant is **Countryside Properties Ltd** in association with **London & Quadrant Housing Trust**, and the architects are **Alison Brooks Architects**.

### Strategic issues

The principal issues to consider are a compelling need for **regeneration** of this run-down, late 1960s Council estate, the **loss of educational land** and premises; any net loss of housing; the **density, quality, mix** and **tenure** of replacement/**affordable housing**; the provision of children's **play space**, urban **design**, inclusive **access, energy** and other **sustainability** issues.

### Recommendation

That Barnet Council be advised that while the application is generally acceptable in strategic planning terms the application does not yet comply with the London Plan, for the reasons set out in paragraph 107 of this report; but that the potential remedies also set out in that paragraph

could address those deficiencies.

## **Context**

On 15 February 2013, the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 28 March 2013 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

The application is referable under Categories 1A and 1B of the Schedule to the Order 2008:

1A- *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*

1B- *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings — (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*

Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

The application relates to some 10.8 hectares of predominantly residential land, situated just south of Mays Lane and to the west of Barnet Lane, in the Chipping/High Barnet area at the northern end of the London Borough of Barnet.

The subject site comprises 440 predominantly rented apartments that make up most of the low-rise (up to five-storey) blocks on the Dollis Valley Council housing estate. The application site is bounded on all sides by the looped Dollis Valley Way and Dollis Valley Drive; the buildings and playing field of the former Barnet Hill School (junior mixed infant and nursery), which lies to the immediate west of the estate; and three small community buildings named Rainbow Centre, Valley Centre and Barnet South Community Association.

A portion of the estate, situated directly south of Dollis Valley Way, accessed by Meadow Close and Crocus Field, and typified by lower-rise (two/three-storey) houses, does not form part of the application site and will be retained in its present state.



**Map 1:** The application site boundary.

The surrounding area is almost exclusively residential in character, interspersed by enclaves of school premises, with extensive areas of Green Belt to the south and south-east of the site.

Mays Lane and Barnet Lane are both part of the borough's highway network. The nearest section of the Strategic Road Network (SRN) is the A1000 Barnet Hill, a distance of 430m from the eastern boundary of the site. Dollis Valley Way forming the internal layout of the existing estate is part of the borough road network. There is no part of the Transport for London Road Network (TLRN) in close vicinity of the site.

The site is served by bus route 326, with stops on Dollis Valley Road. This route provides direct access to Barnet Town Centre and to Brent Cross via High Barnet underground station. In addition, 7 bus routes serve stop outside High Barnet Underground station, providing links to various locations in the boroughs of Barnet, Enfield and Hertfordshire. High Barnet Underground Station is located 600m from the site to the north-east, and provides frequent Northern Line train services to stations in Central London via Finchley Central and Camden Town. As such the public transport accessibility level (PTAL) of the site varies from poor (2) in the west to moderate (3) in the east, out of a range of 1 to 6, where 6 is the highest and 1 the lowest.

## **Details of the proposal**

The hybrid application proposes the demolition of all 440 flats on the site and the phased construction of 631 new houses and flats.

The outline proposal relates to 8.08 hectares of the site (phases 2 to 5) and seeks permission for the principle of a development, comprising:

- Up to 523 residential units, including houses and apartments.
- Three new areas of public open space.
- Improvements to the junction of Dollis Valley and Mays Lane.
- Enhancement of pedestrian, cycle and public transport facilities.

- Provision of car parking spaces (maximum of 788 for all phases of development i.e. the entire site).
- Construction of new internal road network.
- New tree planting.
- Other ancillary works, including relocation of electricity substations.
- All other matters are reserved for future determination.

Detailed consent is also sought for development on the remaining 2.73 hectares of the site, comprising:

- 108 residential units
- New community centre, including community cafe.
- New children's nursery.
- Enhanced pedestrian, cycle and public transport facilities.
- Provision of car parking (as above).
- Internal road reconstruction.
- New tree planting.
- Ancillary works.

The non-residential (i.e. community) floor space included above amounts to 417 sq.m. and would be provided on the ground floor of Block 12- one of the two blocks of flats proposed in phase 1.

## Case history

There have been no previous planning applications on the estate referable to the Mayor. On 12 June 2012, representatives of the present applicant held a pre-application meeting with GLA officers on similar proposals for a redevelopment of the site to provide 616 residential units; up to 469 sq.m. of non-residential floorspace (community, office and retail); open space, parking, new vehicular access to Mays Lane and junction improvements with enhanced pedestrian, cycle and public transport facilities.

In their written advice to the applicant, GLA officers strongly supported the principle of a long overdue regeneration of this dated and run-down, 1960s Council estate; but expressed some policy concern and subsequent need to address the potential loss of 113 social rented housing units (299 affordable habitable rooms), educational provision, sports and community facilities.

## Strategic planning issues and relevant policies and guidance

The relevant issues and corresponding policies are as follows:

- Education *London Plan*
- Playing fields *London Plan*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Housing *London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Providing for Children and Young People's Play and Informal Recreation SPG; draft Providing for Children and Young People's Play and Informal Recreation SPG;*



- Affordable housing *London Plan; Housing SPG; draft Affordable Housing SPG; Housing Strategy; draft Revised Housing Strategy*
- Density *London Plan; Housing SPG;*
- Urban design *London Plan;*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Transport/parking *London Plan; the Mayor's Transport Strategy; Land for Transport Functions SPG,*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Blue Ribbon Network *London Plan*
- Biodiversity/Geodiversity *London Plan; the Mayor's Biodiversity Strategy; draft Tree and Woodland Strategies; London's Foundations (Geodiversity) SPG*
- Ambient noise *London Plan; the Mayor's Ambient Noise Strategy;*
- Air quality *London Plan; the Mayor's Air Quality Strategy;*

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the September 2012 Barnet Core Strategy DPD, and the 2011 London Plan.

The following are material planning considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework.
- The draft Revised Early Minor Alteration to the London Plan.

## **Estate renewal and regeneration**

Dollis Valley Estate is identified (in policy CS3) as one of five residential estates in Barnet prioritised for regeneration and collectively expected to deliver development in the range of 2,200 new homes during the plan period (2011/12 to 2025/26) of the borough's Core Strategy DPD.

London Plan policies 2.14 (*Areas for Regeneration*) and 3.14 (*Existing housing*) affirm support for this aspiration by specifically requesting boroughs to identify areas for regeneration and to formulate spatial policies that integrate regeneration, development and transport in their Local Development Frameworks.

In its 2005 vision statement for the Dollis Valley Estate, Barnet Council identified the following indicators of a pressing need to regenerate the estate:

- Poor quality of the built environment.
- Isolation from the surrounding neighbourhood.
- A single vehicle access and poor transport links.
- Economic deprivation and social exclusion.
- Low educational achievement and attainment.
- Rundown local shops.

- A local fear of crime.

The current proposals have been worked up for many years to regenerate this poor quality and isolated post-war Council estate that suffers many design and concrete problems, as well as physical and social isolation from its suburban surroundings.

The proposals comprehensively address these long-standing problems by seeking to redevelop the entire estate.

## **Loss of educational land and playing field**

The Dollis Valley Estate has no specific land use designation in the London Plan; however, the proposed development entails a permanent loss of primary school land (comprising some 1,590 sq.m. of floorspace and a 7,896 sq.m. playing field) on the western side of the site from educational to residential purposes, contrary to a strategic policy presumption against such loss.

Policy 3.18 of the London Plan affirms the Mayor's support for the provision of early years and primary education facilities to meet the demands of a growing and changing population and enable greater educational choice. It states: development proposals that enhance education and skills will be supported, including new build, expansion of existing facilities or change of use to educational facilities; whilst proposals that result in the net loss of education facilities would be resisted, unless it can be demonstrated that there is no ongoing or future demand.

The plan recognises, in paragraph 3.102, that access to high quality school education is a fundamental determinant of the future opportunities and life chances of London's children and young people. Consequently, paragraph 3.103 provides that, in general, land already in educational use should be safeguarded and new sites secured to meet additional demands or changes in provision.

A similar policy applies in relation to the loss of sports facilities, including playing fields. Policy 3.19 advises that development proposals that increase or enhance the provision of sports and recreation facilities will be supported; whilst proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted.

In this instance, however, the Council declared Barnet Hill School surplus to requirements in 2005/6 following proposals to rationalise primary school provision in the borough. As part of that exercise, pupils of Barnet Hill School were accommodated at other local schools, including the nearby Whittings Hill Primary School in Underhill, after the latter had been demolished and rebuilt to provide two forms of entry, with increased capacity for some 420 pupils. Barnet Hill School was subsequently closed down in 2009, but has since been temporarily reoccupied by a private children's nursery (Pine Tree Nursery) and the Torah Vodaas Orthodox Jewish School for boys, which is due to vacate the premises on 1 April 2013.

For the long term future, the Council has demonstrated (in its 2005/6 Primary School Capital Investment Programme) that the demand for primary school places in the vicinity of Dollis Valley has not been as high as in other parts of the borough. This is supported in the accompanying 2013 Environmental Statement (January 2013), which uses the methodology provided in the Council's SPG to show just a modest increase in child yield and school place requirement (30 children) resulting from the proposed development. In any event, the Council has identified several schools in the area that could be expanded on their existing sites to provide an additional form of entry, and is certain that the modest increase in child yield can be accommodated by expansion at other primary schools.

Against this background, Barnet Council secured approval<sup>1</sup> of the Secretary of State, in July 2007, for the disposal of Barnet Hill School and associated playing field, on the proviso that the Council would create an equivalent area (7,896sq.m.) of playing field at Broadfields Primary School. That approval was subsequently confirmed<sup>2</sup> by the Education Funding Agency, in September 2012; albeit on the understanding that the site would be used to accommodate the Orthodox Jewish School for boys on a temporary basis until 1 April 2013.

It is evident from the foregoing that there is no ongoing or future demand for primary school provision on the former Barnet Hill School site and that, with the creation of an equivalent provision at Broadfields Primary School, there would be no net loss of local playing field or recreational facilities as a result of the proposed development. The application proposals do not, therefore, conflict with the provisions of policies 3.18 or 3.19 of the London Plan.

## **Housing issues**

London Plan policy 3.3 (*Increasing housing supply*) affirms the Mayor's determination to work with relevant partners to increase London's housing supply by an average 32,210 net additional homes to meet the need identified in the plan, improve housing choice and affordability, and to provide better quality accommodation for Londoners. To achieve that figure, the London Plan indicates a target of 22,550 new homes in Barnet (one of the highest of any London Borough) over the ten-year period from 2011 to 2021, with an annual monitoring target of 2,255 units.

Policy CS3 of Barnet Council's Core Strategy DPD envisages a delivery in the range of 22,000 new homes in the borough between 2011 and 2021, to meet the London Plan target; and to have achieved a figure in the range of 28,000 new homes over the 15-year plan period of the DPD.

The objective of the regeneration of the Dollis Valley Estate is to establish a new revitalised neighbourhood on the edge of the Green Belt. Around 440 poor quality homes on the estate will be demolished and replaced by the proposed 631 new homes, representing a net gain of 191 dwellings. These new homes would be delivered as part of a phased programme scheduled to be completed by 2021.

### Density

The intended replacement of 440 homes and the delivery of 191 additional ones would increase the density of residential development from an existing 43 units per hectare, if the school site is excluded, to 58 u/ha (or 185 habitable rooms/ha to 223 hr/ha). This increase is well within the indicative range (50-95 u/ha or 150-250 hr/ha) provided in the London Plan density matrix for a site in a suburban setting, with a public transport accessibility level of 2 (on a scale of 1-6, where 1 is poor and 6 is excellent).

### Housing quality

Details of the unit sizes for phases 2-5 (the outline application) have not been provided at this stage but the following table illustrates the extent to which accommodation proposed in phase 1 (the detailed application) compares to the minimum space standards set out in table 3.3 of the London Plan:

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<sup>1</sup> Under the School Playing Fields General Disposal and Change of Use Consent (No. 3) 2004

<sup>2</sup> Under Schedule 1 to the Academies Act 2010

	Unit type	No. of units proposed	London Plan minimum size	Proposed sizes	Shortfall
Apartments	1 bed 2 person	7	50	51.3-56.8	nil
	2 bed 3 person	14	61	62.2-63.1	nil
	2 bed 4 person	5	70	71.0-73.6	nil
	3 bed 5 person	0	86	n/a	n/a
	4 bed 6 person	1	99	not provided	unknown
<b>Total apartments</b>		<b>27</b>			
Houses (2 storey)	2 bed 4 person	15	83	83.0	nil
	3 bed 5 person	26	96	97.0	nil
	3 bed 6 person	11	n/a	107-112.7	n/a
	4 bed 6 person	0	107	n/a	
Houses (3 storey)	3 bed 6 person	9	n/a	127.4	n/a
	4 bed 6 person	6	113	118.0	nil
	4 bed 7 person	14	n/a	160.0	n/a
<b>Total houses</b>		<b>81</b>			
<b>Total</b>	<b>-</b>	<b>108</b>	<b>-</b>	<b>-</b>	<b>-</b>

As the table shows, the phase 1 accommodation development is largely compliant with the minimum sizes specified in the London Plan. If Barnet Council resolve to grant permission, it would be useful to secure similar compliance for the phase 2 to 5 accommodation by means of an appropriately worded planning condition.

The applicant has also indicated that all the new dwellings would be built to 'Lifetime Homes' standards, with 10% of the total adapted or easily adaptable to wheelchair standards.

#### Affordable housing

Policies 2.14 and 3.14 of the London Plan and section 20 of the Mayor's Housing SPG, aim to resist the loss of housing, including affordable housing, unless it is replaced at existing or higher density with equivalent floorspace. In particular, the SPG clarifies that there should be no net loss of affordable housing, which can be calculated on a habitable room basis and should exclude right-to-buy properties.

These proposals entail demolition of the existing 363 dwellings, all of which are social rented, i.e. affordable; and their replacement with 250 affordable (comprising 230 rented and 20 intermediate rented) units, representing 40% of present affordable housing. Another 381 homes would be available for sale on the open market. In this instance, therefore, there would be a net loss of 113 affordable units on the Dollis Valley Estate.

Whilst the loss of those units runs contrary to London Plan policy 3.12, which requires borough councils to seek the maximum reasonable amount of affordable housing in residential and mixed-use schemes, the marginal viability of the scheme, the prevailing circumstances of the site and the existing and on-stream housing supply present a compelling case for the creation of a more mixed and balanced community with supporting social facilities, as part of the regeneration of the Dollis Valley estate.

In its pre-application discussions with GLA officers, the applicant was requested to explore all viable options to enable full replacement for the loss of affordable housing units. The applicant has since commissioned a financial viability appraisal, which demonstrates that in its present form, the

scheme is below commercial viability. The options subsequently modelled to achieve viability include:

- An uplift of 4.5% on the sale income of market units.
- Adding 5% to private sales on the current appraisal.
- The substitution of 15 shared ownership units for 15 market sale units.
- A substitution as above but with an increase in private sales income by 9.7% to achieve viability.
- The current proposal.

In the light of reasonably valid assumptions that there would be no grant funding to support the scheme; the depressed local values prevailing within the area; the expectation of nil or low revenue from the community space to be provided within the scheme; the need for market housing to cross-subsidise other elements of the scheme and the costs of planning obligations, including a Community Infrastructure Levy; the conclusion was upheld that the submitted proposals struck an optimum balance between the loss of affordable housing and the need to minimise the deficit in financial viability of the scheme.

The net loss affordable housing on the Dollis Valley Estate would be more than offset by the projected growth of affordable housing in other parts of the borough. In October 2012, the Council, as part of its housing strategy undertook a survey of known on-site and projected developments in the borough, to develop an affordable housing trajectory. Excluding small and windfall sites that may come forward as part of the normal trading activity of Registered Providers and other residential developers, the survey showed a pipeline of 3,804 affordable homes coming on stream between 2012 and 2020, including 871 regeneration scheme homes.

The remaining 2,933 affordable homes i.e. those from non-regeneration schemes include:

Under construction	327
With planning permission	634
Mill Hill East (10-year programme)	252
Colindale Area Action Plan	621
Without Planning Permission	929

The Mayors Housing SPG specifically explains that private housing that forms part of estate renewal schemes need not provide the normal level of additional affordable housing, where this is necessary to cross-subsidise redevelopment; although this may need to be justified by a financial viability appraisal. It is pertinent to note that, in addition to new housing, the proposals deliver some new social facilities, including a purpose built children’s day nursery, a community centre and improved road and transport infrastructure as part of the regeneration of Dollis Valley Estate.

The SPG further clarifies that replacement affordable housing can be of a different tenure mix where this achieves a better mix of provision. This SPG provision is complemented by London Plan policy 3.9, which looks to promote communities mixed and balanced by tenure and household incomes in developments across London, particularly in those neighbourhoods where social renting predominates and there are concentrations of deprivation. This policy, in conjunction with the indicators identified in the Council’s 2005 vision statement for the estate (as listed above) serve to underscore the rationale behind the current regeneration proposals.

## Housing choice

The overall development would comprise 322 houses and 309 apartments. The masterplan for the site indicates a variety of two and three-storey house types providing two, three and four bedroom accommodation; and separate blocks of flats and maisonettes providing one, two, three and four-bedroom dwellings.

To fulfil the strategic objectives of promoting housing choice and a balanced mix of unit sizes within the development, the applicant proposes the following tenure split:

Existing			Proposed		
unit size	social rented	private sale	unit size	affordable	private sale
1 bed	74	8	1 bed	36	32
2 bed	128	19	2 bed	117	163
3 bed	159	50	3 bed	89	115
4 bed	2	0	4 bed	8	71
<b>total</b>	<b>363</b>	<b>77</b>	<b>total</b>	<b>250</b>	<b>381</b>

As the above table shows, 97 or 39% of the affordable accommodation in phases 1-5 (both detailed and indicative) would be three or more bedroom units suitable for family occupation. Whilst this figure is slightly below the target 42% indicated for social rented accommodation in the London Housing Strategy, it is said to reflect local circumstances and housing need identified by Barnet Council. The mix is therefore acceptable in strategic planning terms.

## **Children’s play space**

London Plan policy 3.6 states that new residential developments should include provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Using the methodology within the Mayor’s supplementary planning guidance ‘*Providing for Children and Young People’s Play and Informal Recreation*’ it is envisaged that the mix of 631 houses and flats would attract approximately 459 resident children. The guidance sets a benchmark of 10 sq.m. of usable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 4,590 sq.m. of playspace.

The development incorporates a minimum 100 sq.m. of formal and equipped doorstep play space within each of the two proposed entrance squares (Entrance Square East and Entrance Square West) for the supervised use of small children (particularly 0-5 year-olds).

An additional 300 sq.m. of local and formally equipped play space would be available on The Green, at the southern end of the site; with some 2,890 sq.m. of informal landscaped space suitable for play distributed across the site.

The aggregate of all communal courtyards and private residential gardens amounts to 22,840 sq.m. of informal play space and the farthest part of the site is within a 15-minute walking distance of the King George Recreation Ground and other Green Belt land adjacent to the eastern and southern boundary of the site.

Based on this description, there is ample space within and in close proximity to the site to fulfil the Mayor’s SPG benchmark requirement for access to children’s play space.

## **Urban design**

The proposals for the site are well designed with a high quality layout. The street-based approach is strongly supported, creating perimeter blocks that enclose private open spaces and ensuring all buildings face on to the public realm creating a high quality, adaptable and robust environment. The overall structure is legible and permeable and ties in well with the surrounding area, which is also welcomed.

However, as a significant section of the proposal is indicative only, the design guidelines and parameter plans will be critical to ensure its success when fully built out. Whilst the simple typological nature of the proposed codes will ensure the overall quality of the scheme, a number of other aspects will require further work.

Further information on how the quality of the apartment blocks and spaces around them will be secured is required. Whilst a number of key elements of The London Housing Design Guide are set out in the Design and Access statement, further commitment that these will be adhered to is required, in particular commitment that all ground floor apartments will have their own individual entrances form the public realm.

Further information will also need to be provided as to how the parking courts will be secured to avoid becoming areas likely to attract anti-social behaviour. Officers suggest that a clear threshold between the public realm and the courts is established and that the courts are gated. Ensuring that surrounding buildings provide good levels of overlooking on to this space will also add to this.

The gable end of the houses at the corner of blocks will also require further assurance in the design guidelines so that they will be built with generous amount of fenestration to avoid extensive stretches of blank walls on the corners of the blocks. This is particularly important along the shorter ends of the perimeter blocks.

In summary the design of the scheme is supported in principle, however further work is required to ensure that the design guidelines secures the quality of the apartment blocks, parking courts and gable ends of houses so that they all contribute to creating a high quality environment.

## **Transport for London's comments**

As part of the detailed phase 1, a new vehicular access to the site will be created by demolishing the properties at 131-135 Mays Lane. The new access will be 6m in width to potentially accommodate bus movements and provide a 10m kerbed radius at its intersection with Mays Lane. TfL accepts the proposed arrangements in principle, subject to a stage 1/2 safety audit.

With the outline phase, a new layout is also proposed to the existing site access at the junction of Dollis Valley Drive/ Mays Lane. In addition, the existing Hammond Close junction, further west on Mays Lane, will be modified to provide better connectivity to the development. This is welcomed by TfL subject to the proposal being satisfactorily stage 1 safety audited.

The trip generation and modal split presented in the transport assessment is considered reasonable and is therefore accepted by TfL. It predicts that the car will remain the main mode of transport for future residents, with an increase of 69 two-way vehicular trips during the morning and 66 trips during the evening peak. Therefore, it is essential that parking on site be controlled to restrain car ownership and the level of vehicular trips, and to promote the use of non-car based modes of transport in line with London Plan policy 6.13.

As part of the transport assessment, the three proposed/modified priority junctions of the site with Mays Lane referred to above, have been modelled and are expected to operate well within their designed capacity. However, the AECOM Dollis Valley Regeneration Transportation Review (April 2010), commissioned by Barnet Council during the master plan development stage, reported that the A1000, Barnet Hill/ Underhill signal controlled junction is already operating at capacity, and could be over capacity depending on the scale of development proposed. TfL therefore advises that the applicant should conduct a further detailed assessment of this junction, based on the current development quantum, in line with London Plan policy 6.3.

A total of 788 car parking spaces are proposed; a ratio of 1:1 for 1 to 3 bedroom dwellings and 2 spaces for 4 bedroom dwellings. In addition, 78 unallocated spaces are proposed in numerous locations across the site, in order to safeguard against visitors parking on street. TfL considers the proposed parking levels to be excessive and requests it to be significantly reduced, as:

- The new layout of the site will result in improved bus access to the development itself
- TfL notes that Barnet Council considers that there is little scope to improve the capacity of the Barnet Hill/Underhill junction. There is therefore a strong case for minimising additional vehicular trips through reduced parking provision to ensure a neutral impact on this part of the strategic road network (SRN)
- Furthermore, the provision of the 78 unallocated spaces may be unjustified, as on-street parking could be addressed by waiting restrictions.

TfL therefore urges Barnet Council to review the parking levels for the non-family (1 and 2 bedroom units) below the 1:1 ratio and a reduction of the unallocated spaces from the proposals.

Regardless of the number of spaces that are ultimately agreed, the transport assessment advises that 10% of spaces will be designated for disabled users, which is acceptable. They should be designed in line with London Plan Housing SPG Standard 3.3.2 with reference to the GLA 'Best Practice Guidance on Wheelchair Accessible Housing'. The applicant should in any event clarify the actual number of disabled spaces and their location.

The commitment to provide electric vehicle charging points (EVCPs) in accordance with London Plan policy 6.13 is also welcomed by TfL. As there should be a minimum of 20% provision, along with a further 20% passive provision, clarification as to the actual number of EVCPs to be provided is required.

There are 987 cycle parking spaces proposed across the site, including two spaces for each proposed house and an overall total of 25 visitor spaces, which is welcomed by TfL. The cycle parking facilities should be covered, secured and located in positions where they can be accessed by cyclists safely and conveniently. This is to comply with London Plan policy 6.9.

The pedestrian environment review systems (PERS) audit identified that way-finding in the vicinity of High Barnet Station is poor and should be improved. Barnet Council is therefore recommended to secure 'Legible London' signage through the section 106 agreement. The Council is also encouraged to secure other walking and public realm improvements through the section 106 agreement to address any deficiencies that are identified in the PERS audit along routes to local amenities in line with London Plan policy 6.10.

TfL considers that there is no need to enhance bus service capacity in light of the proposed development, as there is sufficient service capacity to meet the additional demand likely to be generated from the proposal.



The proposed bus routing, road layout and stop locations with the proposed development would permit one-way bus working through the site. Although this is considered acceptable; at the pre-application stage the applicant was advised that in general, TfL prefers to operate a two-way bus network, in the interests of improved accessibility and operational efficiency. Three bus stop locations are identified on the proposed plans for the outline element of the scheme. TfL welcomes further consultation and discussion about their precise location when detailed proposals are considered.

TfL continues to support the aspiration in the Dollis Valley master plan to remove the existing width restriction on Mays Lane, to enable any future westward extension of bus services to other residential areas. Barnet Council is therefore requested to investigate this matter further.

The design of the proposed internal road network indicates 'soft' traffic calming measures including curving road alignments and multiple priority junctions. The developer shall clarify whether physical traffic calming measures such as bollards and speed humps are included for the bus route. TfL emphasises that such measures are unlikely to be compatible with operating a bus service through the site and as such welcomes further discussion about the layout and design of this phase of the development.

In addition, SWEPT paths are required to demonstrate how buses would manoeuvre, and be able to turn and negotiate their route safely within the site itself. For example, the proposed layout of the site indicates that it will necessitate two 90-degree turns, which may be unacceptable.

It is intended that bus route 326 will continue to serve the Dollis Valley Estate throughout the construction period, and it is important that this remains the case for serving residents of the estate. TfL must therefore be consulted on any temporary routes and diversions to ensure disruption to bus services will be kept to a minimum.

The content of the draft framework travel plan has been reviewed in accordance with the ATTrBuTE assessment tool and regrettably has failed. To address this, an action plan with clear timescales for implementation should be included. A revised travel plan should therefore be re-submitted for a further ATTrBuTE assessment and ultimately be secured by section 106 agreement in line with London Plan policy 6.3.

A draft construction logistic plan (CLP) was submitted and its content is welcomed by TfL. TfL also considers that a delivery servicing plan (DSP) should have been included with the transport assessment. However, TfL is content for the submission of these plans and their implementation to be secured by planning conditions. As stated above, the CLP should address the need for buses to continue being able to operate through the estate during the construction phase in line with London Plan policy 6.14.

In accordance with London Plan policy 8.3 '*Community Infrastructure Levy*', the Mayor has agreed a CIL Charging Schedule which came into operation on 1 April 2012. It will be paid in respect of most new developments in Greater London. Boroughs are arranged into three charging bands with rates of £50/£35/ £20 per square metre of net increase in floorspace respectively. The proposed development is within the London Borough of Barnet, where the proposed Mayoral charge is £35 per square metre.

In summary, for the proposals to be considered in line with the transport policies of the London Plan the following must be addressed;

- (a) Undertake a capacity impact assessment to the A1000 Barnet Hill/ Underhill signal controlled junction.

- (b) Reduce parking for the 1 and 2 bedroom units and the removal of unallocated parking spaces (applicable to both the outline and full application phases).
- (c) Submit SWEPT paths to demonstrate that buses would be able to pass and turn safely and conveniently within the new estate roads.
- (d) Secure CLP, DSP and travel plans via appropriate planning conditions.
- (e) Confirm the levels of cycle parking, disabled parking provision and electric vehicle charging points for the site (inc. both Hybrid and detailed applications).
- (f) Revise the travel plan in light of the ATTrBuTE assessment comments.

## **Energy provisions**

### Be Lean

#### Energy efficiency standards

A range of passive design features and demand reduction measures are proposed to reduce the CO<sub>2</sub> emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. The applicant should indicate any active energy efficiency measures. The demand for cooling will be minimised through exploiting opportunities for cross ventilation and solar shading.

Phase 1 of the development is estimated to achieve a reduction of 3 tonnes per annum (1%) in regulated CO<sub>2</sub> emissions compared to a 2010 Building Regulations compliant development, as shown in the table below.

### Be Clean

#### District heating

The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development.

Due to the density and type of dwellings (over 50% of proposed dwellings are houses) of the site, the applicant does not propose to install a site heat network. This is accepted in this case.

#### Combined heat and power

As no site heat network has been proposed, CHP has not been considered. This is accepted in this instance.

### Be Green

#### Renewable energy technologies

The applicant should investigate the feasibility of a range of renewable energy technologies before deciding upon solar photovoltaic (PV) panels. The applicant proposes to install 160 kWp on the roofs within Phase 1 of the development. This is estimated to represent an average of almost 10 sq.m. of solar PV for each dwelling. The applicant should provide a drawing and more detail of the solar PV in relation to installations on each dwelling type, orientation, potential shading, etc.

A reduction in regulated CO<sub>2</sub> emissions of 64 tonnes per annum (32%) will be achieved through this third element of the energy hierarchy (see table below).

### Overall carbon dioxide savings

Based on the energy assessment submitted at Stage I, the table below shows the residual CO<sub>2</sub> emissions after each stage of the energy hierarchy and the CO<sub>2</sub> emission reductions at each stage of the energy hierarchy for Phase I of the proposed development.

	<b>Total residual regulated CO<sub>2</sub> emissions</b>	<b>Regulated CO<sub>2</sub> emissions reductions</b>	
	<b>(tonnes per annum)</b>	<b>(tonnes per annum)</b>	<b>(per cent)</b>
Baseline i.e. 2010 Building Regulations	204		
Energy Efficiency	201	3	1
CHP	201	-	-
Renewable energy	137	64	32
<b>Total</b>		<b>67</b>	<b>33</b>

A reduction of 67 tonnes of CO<sub>2</sub> per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected for Phase 1 of the proposed development, equivalent to an overall saving of 33%.

The CO<sub>2</sub> savings exceed the targets set within Policy 5.2 of the London Plan.

### Recommended conditions

As the solar photovoltaic installation provides most of the savings in regulated CO<sub>2</sub> emissions, it is recommended that this forms a condition, which includes monitoring of installation and actual output.

## **Flood Risk**

The site is to the north of the Dollis Brook. A Flood Risk Assessment (FRA) confirms that the site is within Flood Zone1. Therefore the principle of development is acceptable.

### Surface Water Run-off

A surface water flooding incident has been reported to the immediate south of the site.

The FRA includes a drainage strategy for the site which includes:

- 5,780 sq.m. of green roofs.
- Construction of two large green areas for the storage of excess surface water.
- Non infiltration permeable parking areas.
- Oversize pipes and modular storage units.

These measures are welcomed and it is accepted that infiltration options are limited given the relatively high groundwater reported and the underlying clay.

However, the site at 10 hectares is large and further attenuation should be viable in order to get closer to the Mayor's preferred SPG standard and therefore comply with London Plan policy 5.13 and the sustainable drainage hierarchy contained within it. This is particularly as the site is near to the head of the local catchment and surface water flooding has been recorded in the near vicinity.

Prior to any stage 2 referral to the Mayor the applicant should investigate the opportunities for a greater proportion of the water to be attenuated within the site.

## **Local planning authority's position**

The regeneration of Dollis Valley Estate is a long-standing corporate priority of Barnet Council. The current proposals are a culmination of protracted negotiation with development partners over several years and the Council looks forward to the realisation of that important aspiration.

It could not be ascertained at the time of writing when this application would be reported to the Council's planning committee.

## **Legal considerations**

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

There are no financial considerations at this stage.

## **Conclusion**

London Plan policies on estate renewal and regeneration; school, sports and community facilities; the unit size, quality, mix, tenure of new housing; the provision of affordable housing and children's play space; urban design, inclusive access, transport, energy and sustainable development are relevant to this application.

Whilst the application is broadly acceptable in strategic planning terms, it complies with some of these policies but not yet with others for the following reasons:

- **Regeneration:** The long overdue regeneration of this run-down Council estate is strongly supported and the priority is to ensure it remains viable to create a high quality suburban place and mixed tenure balanced community.
- **School, sports and community facilities:** The application proposals fulfil the criteria on which an exemption to the policies aimed at protecting these facilities may be allowed; adequate alternative provision has also been made on or within the vicinity of site, as described in the preceding sections of this report.
- **Quality, mix and tenure of new housing:** These have been assessed against the provisions of the London Plan and found to be satisfactory.

- **Affordable housing:** Whilst the London Plan aims to resist the shortfall in quantum of affordable housing over the existing provision, that loss is justified on grounds of viability, a need to foster a mixed community to balance the preponderance of social housing in the surrounding area and an alternative supply of affordable housing elsewhere within the borough.
- **Urban design:** Additional information is required on the presently indicative plans for a full design assessment to be made of the outline application; however, specific details are required of how the apartment blocks, parking courts and the spaces around them would be secured to ensure they do not become havens for anti-social behaviour. A clear threshold between the public realm and those areas is recommended; as is the use of adequate fenestration to break up the vast expanse of blank wall on the gable ends of houses, particularly at the corner of perimeter blocks.
- **Transport:** Additional provisions need to be made to ensure full compliance with the transport policies of the London Plan, as set out in Transport for London's comments summarised in paragraph 84 of this report.
- **Energy:** The applicant should provide a drawing and more detail of the proposed solar photo-voltaic panels in relation to installations on each dwelling type, orientation, potential shading, etc. The implementation of those details should subsequently be secured by an appropriate planning condition.
- **Surface water run-off:** The applicant should investigate the opportunities for a greater proportion of the water to be attenuated within the site prior to or as part of any subsequent referral of this application back to the Mayor.

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