

**Location** 262 Ballards Lane London N12 0ET

**Reference:** 23/2638/FUL Received: 19th June 2023  
Accepted: 19th June 2023

Ward: West Finchley Expiry 14th August 2023

**Case Officer:** Mansoor Cohen

Applicant: Mr Levy

Proposal: Demolition of existing building and construction of a three-storey building plus rooms in roof space comprising of 7no. self-contained flats with associated off-street parking, soft landscaping, refuse storage and cycle store

### **OFFICER'S RECOMMENDATION**

Refuse

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The proposed development for 6no. one bedroom/studio units and 1no. two bedroom unit fails to provide a suitable mix of housing and results in the loss of a priority family sized dwelling for which there is a known demand. The proposed development would therefore be contrary to Policies CS NPPF, CS1 and CS5 of the Barnet's Adopted Core Strategy (2012), Policy DM01 and DM08 of the Adopted Development Management Policies DPD (2012) and Policy H10 of the London Plan (2021)
- 2 The proposed development, by reason of its size, height, scale, bulk, massing,

design and siting on this prominent corner location would be an overly dominant, visually obtrusive and inconsistent with the prevailing height and form of neighbouring properties and the overall street scene, thereby failing to relate sympathetically to local context and character and amounting to an overdevelopment of the site to the detriment of the character and appearance of the host property, the street scene and the surrounding area contrary to Policies CS1 and CS5 of the Core Strategy DPD (2012), Policy DM01 of the Development Management Policies DPD (2012), Policy D3 of the London Plan (2021) and the Residential Design Guidance SPD (2016)

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

- 1 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

- 2 The plans accompanying this application are:

Drawing nos.: P001 Rev P1, P002 Rev P1, P003 Rev P1, P004 Rev P2, P005 Rev P2, P006 Rev P2, P007 Rev P2, P008 Rev P1, P009 Rev P1, P010 Rev P1, P011 Rev P1, P017 Rev P1, P012 Rev P1  
Preliminary Ecological Appraisal, Windrush Ecology, February 2021.  
Letter from EAS Transport Planning, 21 November 2022.  
Sustainability Statement, Eyal Moran Architects, March 2023.  
Design and Access Statement, March 2023

- 3 This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor

space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to any future appeal process:

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

Liability for CIL is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: [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 Extension: 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

[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) for further details on exemption and relief.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The site comprises a two-storey detached property is located on the south eastern side of Ballards Lane, within the West Finchley ward. It is a corner plot on the junction with Christchurch Avenue which runs to the east. The existing dwellinghouse benefits from a garden principally extending to the side of the building, adjacent to the corner. Its principal elevation faces Ballards Lane, while vehicular access is provided to the rear via Christchurch Avenue.

The site is not within a conservation area, nor does it contain any listed buildings. The surrounding area is predominantly residential in character, comprising a mix of semi-detached and detached dwellinghouses and some purpose-built flat blocks. There are some commercial uses to the north east toward North Finchley town centre, including Waitrose opposite on Ballards Lane.

### **2. Site History**

Reference: 22/3546/FUL

Address: 262 Ballards Lane, London, N12 0ET

Decision: Approved subject to conditions

Decision Date: 21 December 2022

Description: Demolition of existing building and construction of a two-storey detached building with additional rooms in the roofspace to provide 5no. self-contained flats with associated off-street parking, soft landscaping, refuse storage

Reference: 21/1159/FUL

Address: 262 Ballards Lane, London, N12 0ET

Decision: Refused, **appeal ref: APP/N5090/W/21/3281867, dismissed on 1 April 2022**

Decision Date: 9 August 2021

Description: Demolition of existing building and construction of a two-storey detached building with additional rooms in the roofspace to provide 5no. self-contained flats with associated off-street parking, soft landscaping, refuse storage

Reason 1: The proposed development by reason of its size, bulk, design, including its convoluted form and use of incongruous materials, represents a poor form of design, to the detriment of the character and visual amenities of the surrounding area. The proposal, by virtue of its scale and site coverage would also be an unduly prominent and cramped form of development detrimental to the character and appearance of the site and the established pattern of development in the area. The development would therefore be contrary to policies in the National Planning Policy Framework, Policy 7.4 and 7.6 of the London Plan (2016), DM01 of the Development Management Policies Development Plan Document (September 2012), policies CS5 of the Local Plan Core Strategy (September 2012), and contrary to the Local Plan Supplementary Planning Document Residential Design Guidance (2016) and Sustainable Design and Construction SPD (2016).

Reason 2: The proposed development would result in the loss of an existing street tree (London Plane) on Christchurch Avenue. The loss of this tree of high amenity value would detract significantly from the character and appearance of the area and represent a biodiversity loss, without sufficient mitigation, contrary to policies DM01 and DM16 of the Adopted Barnet Development Management Policies DPD 2012.

Reference: 20/4245/FUL

Address: 262 Ballards Lane, London, N12 0ET

Decision: Refused

Decision Date: 17 November 2020

Description: Demolition of existing building and construction of a two-storey detached building with additional rooms in the roofspace to provide 5no. self-contained flats with associated off-street parking, soft landscaping, refuse storage and cycle store [amended]

Reasons:

1. The proposed development by reason of its size, bulk, design, including its convoluted form and use of incongruous materials, represents a poor form of design, to the detriment of the character and visual amenities of the surrounding area. The proposal, by virtue of its scale and site coverage would also be an unduly prominent and cramped form of development detrimental to the character and appearance of the site and the established pattern of development in the area.
2. In the absence of an ecological survey the local authority cannot ensure that the proposal would not have an adverse impact on protected species.

Reference: C00512B/07

Address: 262 Ballards Lane, London, N12 0ET

Decision: Approved subject to conditions

Decision Date: 31 August 2007

Description: Part single, part two-storey side extension and conversion of existing garage to provide additional accommodation.

Reference: C00512A/07

Address: 262 Ballards Lane, London, N12 0ET

Decision: Refused

Decision Date: 21 May 2007

Description: Part single, part two-storey side extension. Conversion of property into 2 No. self-contained houses.

Reasons:

1. The proposed dwelling would by virtue of its size, siting and design result in a cramped form of development detrimental to the character and appearance of the property it will be attached to, the street scene and general locality.
2. The proposed dwelling would provide insufficient amenity space for future occupiers.
3. The proposed bedroom at first floor level would have inadequate light to and outlook from resulting in a substandard form of accommodation.

### **3. Proposal**

This application seeks planning consent for "Demolition of existing building and construction of a three-storey building plus rooms in roof space comprising of 7no. self-contained flats with associated off-street parking, soft landscaping, refuse storage and cycle store"

The proposal follows a recently approved scheme reference 22/3546/FUL which principally differs in its additional scale of up to four storeys in height (including mansard roof) and increase in maximum width by approximately 1m to create a total of 7 units as opposed to the consented 5 units.

The proposed three-storey building with additional rooms in the roofspace measures approximately 17.8 metres in width, 10.8 metres in depth, 8.4 metres in height to the lower mansard roof and 11m to its upper mansard roof.

The internal layout of the units were amended during the course of the application to address officers concerns in respect of minimum space standards resulting in the following units:

The proposal provides 7no self-contained flats. The proposed units are as follows:

- Flat A (Ground floor): 1-bed, 2-person, 51.4 sqm;
- Flat B (Ground floor): 1-bed, 2-person, 53.4 sqm;
- Flat C (First floor): Studio, 37.08 sqm;
- Flat D (First floor): 2-bed, 3 person, 65.4 sqm;
- Flat E (Second floor): Studio, 38.6 sqm;
- Flat F (Second floor): 1-bed, 2 person, 51.8 sqm;
- Flat G (Third floor): 1-bed, 2 person, 50.1 sqm.

Access to all of the proposed units would be via a communal entrance lobby, with the principal entrance on the front elevation facing Ballards Lane.

The proposal includes private outdoor amenity space for the units in the form of terraces, balconies and a small private garden area for the occupiers of Flat B. A small communal garden area is also proposed to the front of the property.

Provision of 2no car parking spaces within the hardstanding to the rear of the site utilising the existing crossover fronting Christchurch Avenue.

Provision of cycle parking store to the front of the site and a refuse store to the rear.

### **4. Public Consultation**

A site notice was posted on 28.07.2022 and consultation letters were sent to 87 neighbouring properties. 5 letters of objection were received including from the Finchley Society summarised as follows:

- Four storey building out of keeping with local area
- A slight reduction in the south facing top floor does not materially reduce the overbearing impact of the extra floor proposed in addition to the approved
- Extra floor is too dominant in the context of the local streets and the nearby locally listed buildings and conservation area,
- Applicant's interpretation of the Inspector's report rejecting 21/1159 is not valid
- Flat G shows incorrect GIA of 50.1sqm
- Continual attempts to cram in more flats serve merely to delay the provision of needed new accommodation as approved in 22/3546
- Overdevelopment of site
- Object if no installation of heat pump

## **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 revised National Planning Policy Framework (NPPF) was published in 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

#### The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM06, DM08, DM17.

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

development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

#### Barnet's Draft Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

#### Supplementary Planning Documents

Residential Design guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle of development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Provision of adequate accommodation for future occupiers.
- Highways and parking issues.
- Impact on Trees.
- Ecology.



## 5.3 Assessment of proposals

### Principle of development

The principle of redevelopment of the site to purpose built flatted development is firmly established by the extant permission 22/3546/FUL. Nevertheless, Policy DM08 advocates development to provide a mix of dwelling types to meet the borough needs, with 3 bedroom homes being a medium priority, and the emerging local plan giving greater importance to 3 bedroom houses as the highest priority. Equally, the emerging local plan recognises that one bedroom homes are amongst the least flexible forms of accommodation to meet the present and future housing needs of the borough and do not form priority housing in the borough. To this end, the proposal for 6 x one bedroom units (2 of which are studios) and 1 x two bedroom 3 person unit is an overconcentration of one bedroom units and does not provide an adequate mix of dwelling types. Furthermore the proposal would not re-provide the existing family 3-4 bedroom dwellinghouse which is a priority housing need in the borough (in contrast to the extant scheme). Accordingly whilst the principle of flats is acceptable the proposed dwelling mix would be contrary to the aforementioned policy.

### Impact on the character and appearance of the site and wider area

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.124).

Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The primary difference between the extant scheme and the current proposal relates to the additional storey and increase in overall width to provide a total of 7 flats.

The surrounding area consists predominantly of two storey buildings with some interspersed three storey buildings. The proposal which provides up to four storeys in scale would be uncharacteristic of the area and would significantly exceed the prevailing and established height of the locality. It is highlighted that the proposal would exceed the height of the neighbouring building no.26 Little Court and those along Christchurch Avenue to the south. The footprint of the proposal also increases one metre in width over the extant scheme and features an additional projecting balcony to serve the mansard roof flat. The combination of all these elements results in excessive mass and bulk that would sit uncomfortably within the site and would appear as a cramped form of development. Consequently, the proposal would appear overly dominant, out of scale and therefore harmful to character and appearance of the locality.

It is noteworthy that officers consider this would be in direct contrast to the appeal dismissed scheme 21/1159/FUL (three storeys in scale) in which the Inspector stated at paragraph 13 '...it would not have the appearance of being too tall a building for its location and it would not be too large or bulky an element in the streetscene'.

The appellant asserts that the Inspector considered the site being suitable for further intensification and whilst officers agree with this as evidenced by the extant scheme, this should not be misconstrued as at any cost, and regard must be had to the contextual relationship of the site and surroundings.

To the adjacent side of Ballards Lane, lies the Moss Hall Conservation Area. Section 72(1) of the Planning (Listed Building and Conservation Areas Act) 1990 states that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF (2021) states 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)'. Policy DM06 of the Local Plan re-enforces requiring proposals to consider the impact on the setting of the heritage asset.

Notwithstanding the harm to the general character identified earlier, Officers consider given the significant separation distance from the Conservation Area and the overall scale of the proposal there would be no harmful impact on the setting of this designated heritage asset.

In design terms, it is acknowledged that this mirrors and continues upwards that of the extant scheme which was previously considered acceptable, however this would not alleviate the harm identified in terms of the excessive scale, mass and bulk of the proposal. This therefore weighs neutrally in favour of the proposal.

#### Impact on the living conditions of Neighbouring occupiers

Policy DM01 indicates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The extant scheme was found to have an acceptable impact on the residential amenities of neighbouring occupiers. The current proposal includes an increase in overall height however this element is set away some 5.5m away from the immediate neighbouring property no.264 and the element adjacent to the common boundary largely replicates the extant scheme. Owing to the separation distance officers do not consider this would result in significant overshadowing or any other harm. Furthermore, like the extant scheme there are no side facing windows which would overlook this neighbour.

In respect of properties along Christchurch Avenue to the south, whilst the increased scale would exceed these neighbouring properties, a separation distance of some 28m would reduce the visual impact to an acceptable degree. Similarly this separation distance complies with the Council guidance of requiring a minimum of 21m between facing habitable windows.

In respect of the increased intensification, this equates to an overall uplift of 2 persons over the extant scheme albeit across 7 flats (as opposed to 5), however having regard to the mixed use of the locality, the corner siting of the proposal and the Ballards Lane busy thoroughfare, it is not considered that this would result in undue noise and disturbance to neighbouring occupiers.

#### Impact on the Amenities of future occupiers

Policy DM02 of Barnet's Development Management Policies Document DPD (2012) states that where appropriate, development will be expected to demonstrate compliance with national and London wide standards supported by the guidance set out in the council's suite of Supplementary

Policy D6 of the London Plan sets out Housing quality and standards. It states that for a 1 bedroom 2 person unit a minimum space standard of 50sqm is required.

The proposal would provide the following units and GIA:

Flat A (Ground floor): 1-bed, 2-person, 51.4 sqm;  
Flat B (Ground floor): 1-bed, 2-person, 53.4 sqm;  
Flat C (First floor): Studio, 37.08 sqm;  
Flat D (First floor): 2-bed, 3 person, 65.4 sqm;  
Flat E (Second floor): Studio, 38.6 sqm;  
Flat F (Second floor): 1-bed, 2 person, 51.8 sqm;  
Flat G (Third floor): 1-bed, 2 person, 50.1 sqm.

All flats would meet/exceed the required standard.

The London Plan requires a single bedroom must have a floor area of at least 7.5sqm and be at least 2.15m wide and a double bedroom must have a floor area of at least 11.5sqm and 2.75m wide.

All bedrooms would meet the respective requirements.

Outlook/Light:

In respect of outlook all units would be dual or triple aspect providing adequate outlook and light.

Floor to ceiling height:

In accordance with Policy D6 of the London Plan, proposals must provide at least 2.5m floor to ceiling height across 75% of the respective unit.

Section drawings have not been provided to demonstrate this criteria has been met, although the proposed elevation drawings do indicate the proposal would likely comply with this standard.

Stacking:

Stacking is broadly like for like and therefore acceptable.

Amenity Space:

Section 2.3 of the Sustainable Design and Construction SPD (2016) states that for flats there should be a minimum of 5 sqm of outdoor amenity space per habitable room (whereby rooms in excess of 20sqm are counted as two). Each unit would therefore require a provision of 15sqm of outdoor amenity space.

All units would benefit from a terrace area or balcony with the exception of Flat B which would have a private garden area. In addition a communal garden of some 26sqm would be provided. The useability of some of these spaces, in particular the semi-circular balconies and private garden area due to the narrow depth and shape is questioned and would not likely provide high quality space. The overall provision is also deficient of the requirement, however, the site is within walking proximity to Victoria Park as well as the North Finchley Town Centre which provides access to a range of shops and services and each unit is provided with some private outdoor space, therefore on balance, it is considered that the overall provision would be acceptable.

## Highway and Tree Impacts

The applicant is proposing to demolish the existing single family dwelling and construct a new building to accommodate 7x self-contained units with the provision of 2x off-street car parking spaces.

The site is in a CPZ that operated Mon-Sat, 9am-5pm, it lies within a PTAL 4 zone, which means that there is above average public transport accessibility to and from the site. Highways consider the parking requirement for this site is between 1-8 spaces but based on the good PTAL rating of 4, the proposed provision of 2x off-street car parking spaces is acceptable subject to imposing a s106 CPZ permit restriction. However, in a similar approach to the extant scheme a parking survey was submitted which demonstrated an average parking stress of 60.8% equating to some 72 spaces free. Consequently, any overspill from the development could be accommodated comfortably on street without exceeding the maximum threshold. Accordingly, whilst desirable (to encourage sustainable modes of transport), officers do not consider in this instance a s106 would be reasonable or necessary to make the development acceptable in planning terms.

### Cycle parking:

Cycle parking needs to be provided in accordance with the requirement of the London Plan cycle parking standards. Cycle parking should be provided in a secure, covered, lockable and enclosed compound. For the 7, 10 long stay and 2 short stay cycle parking spaces are needed. 10 long stay and 2 short cycle parking spaces are shown on the ground floor plan. Long stay cycle parking should be provided in a secure, lockable covered and enclosed compound. Also, the type of stands used must allow both wheels and the frame of the bicycle to be locked. Details of cycle parking can be secured through a condition in the event of an approval.

### Refuse storage:

Refuse and recycling provision is indicated on the plans. Officers consider that appropriate conditions could ensure that the provision and collection arrangements are in accordance with standards.

## Trees

The proposal does not give rise to any further impacts to street trees above and beyond the extant scheme. As such, in a similar manner appropriate conditions for a method statement and tree protection plan could be imposed in the event of an approval.

## Ecology

The appellant has re-provided the Ecology support submitted with the extant scheme. The report finds no evidence to indicate that the existing buildings to be demolished are being used by roosting bats and it recommends no further surveys. Given these findings officers are satisfied that subject to precautionary working methods the proposal would not adversely impact protected species. Suitable conditions will be applied in the event of an approval.

## **5.4 Response to Public Consultation**

Mainly addressed in the report. Further comments as follows:

- A slight reduction in the south facing top floor does not materially reduce the overbearing impact of the extra floor proposed in addition to the approved  
Officers concur with this point.

- Flat G shows incorrect GIA of 50.1sqm

Officers have scaled the plans and can confirm this is the correct GIA. It would appear that modest changes to the perimeter internals have covered the shortfall lost by the balcony.

- Continual attempts to cram in more flats serve merely to delay the provision of needed new accommodation as approved in 22/3546/FUL

The application has been assessed on its own merits.

-Object if no installation of heat pump

This is not a ground to refuse the application in its own right. In any event, any approval would be subject to reducing carbon emissions in line with adopted policies.

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having taken all material considerations into account, it is considered that the proposed development would have an adverse impact on the character of the site, street scene and the locality. The proposal would also not provide a suitable mix of housing. This application is therefore recommended for REFUSAL.



Alexandra Grove

Ballards Lane

Moss Hall Cres

Christchurch Avenue

Ballards Lane