
Appeal Decision

Site visit made on 6 September 2016

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th October 2016

Appeal Ref: APP/N5090/W/16/3151625

99 Friern Park, North Finchley, London N12 9UD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shane Perkins against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1018/FUL, dated 16 February 2016, was refused by notice dated 13 April 2016.
 - The development proposed is demolition of existing garages and erection of single storey 1 bedroom, 2 person dwelling with basement.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have also dealt with another appeal Ref: APP/N5090/W/16/3151593 on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises a small area of land to the rear of 99 Friern Park. The site is presently occupied by three lock up garages which occupy a large proportion of the site. The site is set back from the public highway and main street frontage and accessed by a narrow strip of land between 99 Friern Park and the neighbouring site of Henley House, a block of flats to the west. The local area is generally characterised as residential with a mix of dwelling types and sizes. Extensive rear gardens, space around properties with trees and landscaping create a generally spacious and green character and appearance to the area.
 5. The proposed development would occupy a more forward location on the site from where the existing garages are positioned. The ground floor of the dwelling would have a dual aspect to the west and north and incorporate two light wells to serve the larger basement accommodation which would extend to the full width of the plot and approximately two thirds of the depth of the main part of the appeal site. The ground floor element of the proposed dwelling would not extend to the full width of the site. However, incorporating the proposed light wells, it would cover a similar area to that of the existing garages and would be slightly higher. Despite its set back position from the public highway and the varied built form in the area,
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- including development behind main properties, the proposed development would take up a sizeable part of its small plot of land. Including the light wells, basement accommodation and the hard landscaping within the site, the scheme would represent an overall increase of the amount of built development on the plot.
6. Whilst the proposed dwelling would not extend to the full width of the site, taking account of the proposed light wells, there would be limited space around the building for landscaping and trees. Furthermore, whilst intended to partly screen the dwelling from view and minimise its visual impact, its position against the boundary with the rear garden of 99 Friern Park and proximity to an adjacent outbuilding on that property would result in the dwelling appearing more cramped on its small plot in comparison to other more spaciouly arranged development nearby. This would be out of keeping with the prevailing pattern of development. It would therefore fail to accord with the spacious nature of the surrounding area and have a material detrimental effect on its character and appearance for which I ascribe significant weight.
 7. The total site area, which includes the strip of land from the main part of the site to the access point on Friern Park, when applied to the residential density guidelines set out in the London Plan, indicates that the proposal would be acceptable in terms of density. Therefore, in policy terms, the proposed dwelling would not necessarily be considered as overdevelopment of the site. Furthermore, the reduction in footprint of the dwelling above ground, compared to the existing garages would result in slightly less development visible above ground. Despite this, the extent of development proposed below ground would cover a significant proportion of the site and whilst this would not be visible it would, in my view, constitute overdevelopment of the site.
 8. Other buildings of similar size and in similar positions exist nearby, particularly to the rear of 71 Torrington Park. However, this building appears to be ancillary to the main residential property rather than a separate, private dwelling. Notwithstanding this, I have no details before me as to the background or circumstances of that building or other similar properties in the area. Accordingly, I must give limited weight to these and consider the appeal scheme in its own right.
 9. The proposed scheme would provide an additional residential unit on an underused brownfield site in a location which is close to public transport and other local services and facilities. Furthermore, I note the sustainable construction merits of the scheme such as the proposed green roof, amongst other things, and the amount of garden space and landscaping proposed. In addition, the dwelling would likely have a positive impact on the immediate area on and around the appeal site. However, such a benefit could be achieved in other ways without redeveloping the site.
 10. The appellant makes a brief reference to the new dwelling contributing to the local housing target which was recently revised upwards in the London Plan. However, I note from the evidence provided that the Council currently has a five year supply of housing land taking into account the increased requirement.
 11. Having had regard to all of the above, I find that none of the benefits in favour of the proposed development, either individually or cumulatively, would provide sufficient weight to outweigh the harm I have identified.
 12. Consequently, I conclude that the proposed dwelling would result in a cramped form of development and would be an overdevelopment of the site which would be out of keeping with, and have a material harmful effect on, the character and

appearance of the surrounding area. Therefore, it would be contrary to Policy CS5 of the Barnet Core Strategy 2012, Policy DM01 of the Development Management Policies 2012, the aims of the Barnet Residential Design Guide Supplementary Planning Document 2012 and the London Plan 2015. Amongst other matters, these policies and guidance seek to ensure that development respects and enhances the character and appearance of the local area and creates high quality places.

Other Matters

13. I acknowledge that the appellant has undertaken several amendments to the scheme in an attempt to address concerns previously raised. These include a reduction in the height of the proposed dwelling, a repositioning of the ground floor accommodation on the site and a reduction in the size of the ground floor area. However, having due regard to these amendments, I must assess the proposed development on its own merits. It is on this basis that I have assessed this appeal.

Conclusion

14. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR