

Appeal Decision

Site visit made on 22 September 2016

by D Cramond BSc MRTPI

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

Decision date: 13 October 2016

Appeal Ref: APP/N5090/W/16/3145735

227 The Vale, London, NW11 8TN

- 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 Ben Hettigoda against the decision of the Council of the London Borough of Barnet.
 - The application Ref15/07475/FUL, dated 8 December 2015, was refused by notice dated 1 February 2016.
 - The development proposed is a single storey rear extension following demolition of existing garage, roof extension involving hip to gable, rear dormer window and 3no rooflights to front elevation to provide 2no self-contained flats with associated refuse area. New front porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I use the Council's description of development which is more precise than the planning application form; I note the appeal form also uses this description.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the host property and the locality and ii) living conditions for future occupants.

Reasons

Character and appearance

4. The appeal property is a nicely proportioned, hipped-roof, two storey, semi detached, dwelling. It lies within a row of four similar pairs. This is on the 1930's Golders Green Estate which is an area of established residential character with dwellings and landscape which come together to form an area of pleasing suburban appearance. The appeal proposal is as described above.
 5. Regrettably the conversion of the existing hip end to a gable would look alien in the streetscene. The symmetry of the semi-detached pair and the wider consistency found on this stretch would be lost. The change would look awkward and ungainly. Whilst appreciating that the impact would be not so much on the streetscene, I would say the same of the proposed excessively large box dormer in terms of its effect upon the appearance of the property
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itself. The vast majority of the pitch roof would be removed and replaced by an uncharacteristic and poorly designed flat roofed upper floor. This feature would be visually dominant from the rear from local gardens and would unsettlingly disturb the visual quality of the rhythm of the local roofs. The overall scheme being proposed would simply be incongruous.

6. I appreciate the fact that some of the works, in other circumstances, may well be 'permitted development'. However, the planning application is before me for determination, along with the planning policies which set the framework for this consideration, and I am to assess this scheme on its merits. I also understand the Appellant's points about how the proposal would make a contribution to housing supply and choice in Barnet. On the other hand I have sympathy for the objectors to this scheme who are concerned that change such as that proposed would both individually, and cumulatively, erode the aesthetic qualities of the Estate. In this instance I would agree with the Council that the appeal scheme would not represent good design and so should not be countenanced.
7. Policy DM01 of the Barnet Local Plan Development Management Policies Document (2012) (DMP), Policies CS1 and CS5 of the Core Strategy (2012), policies 7.4 and 7.6 of The London Plan (LP) and the guidance within the Council's Supplementary Planning Document (SPD): Residential Design Guidance (RDG), taken together and amongst other matters, call for suitably scaled high quality design sympathetic to a site's wider setting and ensuring protection of local distinctiveness and character generally. I conclude that the appeal scheme would run contrary to these policies and guidance; it would be harmful to the character and appearance of the host property and the locality.

Living conditions

8. The Appellant promotes the intended ground floor flat as a one person one bedroom flat and the case is made that at some 45.3 square metres it would exceed the RGD and the LP minima of 37 or 39 sqm gross internal floor area for this type of property. It is argued that this would therefore be a flat which would offer suitable living conditions.
9. However my reading of the plans is that this would actually be intended as a one bedroom two person unit. I would cite the six seat living area, the six seat dining area, the garden and the double bed arrangement for this conclusion. The RGD, Table 1.3, and the LP Table 3.3, both set out 50sqm gross internal area as a minimum for a 1 bedroom 2 person/bedspace flat. To my mind the size of the planned flat would not be close enough to this 50 sqm mark for it to be able to be endorsed when one is seeking to achieve good quality living accommodation. Furthermore having the proposed first floor flat's Living Area sited over the ground floor bedroom, even with soundproofing of some description to be installed, would not represent good practice and be likely to lead to noise and disturbance. This would be compounded by the proximity of the ground floor bedroom's bay window to the parking spaces with the associated vehicular manoeuvring.
10. This is a dwelling which provides suitable dimensions for good quality family accommodation. In contrast to this, the planned ground floor flat would offer substandard space as a 1 bedroom 2 person unit. I conclude that this would run contrary to CS Policies CS1 and CS5; DMP Policies DM01 and DM02; the SPDs RGD and Sustainable Design and Construction; and Policy 3.5 with

associated Table 3.3 of the LP. All of the foregoing, taken together and amongst other matters, seek to secure good quality living standards for occupiers in new or converted homes and the proposal before me would fail to do this for the reasons I have given.

Other matters

11. I recognise that there are a number of flat conversions to be found locally albeit I do not know the circumstances behind those. I could observe that there were Estate examples of hip to gable alterations and some large-scale dormers. These varied in location, form, finishes, and relationship to adjoining properties and again I do not know their circumstances. I would add that repetition of these would not be generally positive in aesthetic terms. In any event I must determine the appeal proposal on its own merits. I do appreciate that there are planning merits in providing for increased numbers and variety of housing but there is no evidence brought that the family dwelling nature of the appeal property is not without demand and social benefit. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.
12. I confirm that policies in the National Planning Policy Framework have been considered; the policies which I cite mirror relevant objectives within that document.
13. Looking at the two main issues I should add that, even if I had accepted the dwelling size and type proposition put forward by the Appellant under the question of living conditions for future residents, the character and appearance aspect would be of such significance that it alone would have led me to dismiss the appeal.

Overall conclusion

14. For the reasons given above I conclude that appeal proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality and would fail to provide good quality living conditions for future occupiers. Accordingly the appeal is dismissed.

D Cramond
INSPECTOR