



Appeal Decision

Site visit made on 5 October 2016

by J F Powis BA (Hons) MSc MRTPI

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

Decision date: 16 November 2016

Appeal Ref: APP/N5090/W/16/3154902

87 Bridge Lane, Golders Green, London NW11 0EE

- 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 Nissim Bitton against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1899/FUL, dated 22 March 2016, was refused by notice dated 30 June 2016.
 - The development proposed is the demolition of existing buildings and erection of a two storey building to facilitate 4 no. self-contained flats with associated parking, cycle storage and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development changed during the Council's consideration of the application, with the number of flats being reduced from five to four. The description set out above is taken from the appeal form and reflects the basis of the Council's decision.

Main Issue

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

Reasons

4. The appeal site is located on the south western side of Bridge Lane. The site is currently occupied by a two storey detached house which has been sub-divided into two residential flats.
 5. Policy DM01(h) of Barnet's Development Management Policies Development Plan Document (adopted September 2012) states that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. The supporting text at paragraph 2.8.1 explains that the policy's intention is to protect the quality of the environment and the character of established residential areas, which can be damaged by the cumulative effects of such conversions. The appeal proposal would replace the existing building with a purpose built development of four flats. Whilst it would not constitute a conversion of an existing property, I consider that the aims of Policy DM01(h) are nonetheless relevant to the proposals.
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6. Bridge Lane is a long road which changes in character along its length from the junction with the local service centre at Finchley Road in the east to the junction with the North Circular Road to the west. For the purposes of assessing the proposal against policy DM01, I have found it most appropriate to consider the character in the vicinity of the appeal site, which includes the surrounding section of Bridge Lane together with the nearest parts of the adjoining roads, namely Cranbourne Gardens, Ashbourne Avenue and Hillcrest Avenue.
7. This area is characterised by the presence of large, detached houses functioning in the main as single residential dwellings. On my visit I saw very little evidence of flatted development nearby, either as sub-divisions or purpose built properties. This reflects the Council's evidence in respect of council tax records.
8. The appeal development would span four floors including a basement and loft space but would be designed to have the appearance of a two storey residential building. During my visit, I saw that properties in the area tend to fill the width of their plots, and I saw many examples of roof extensions incorporating side and rear dormers. As a result, I consider that the appearance of the proposed building would not be at odds with that of the surrounding built form.
9. However, the supporting text to Policy DM01 at paragraph 2.8.1 states that converting dwellings into flats can harm the character of areas by increasing activity on a site, such as through more people and vehicle movements, parking stress and increased rubbish collections and deliveries.
10. The appeal site currently accommodates two flats of three bedrooms each whereas the proposed development would provide four flats, each with two bedrooms. The appellant submits that this would result in a theoretical increase in occupiers of the site from 10 to 12 people, contending that two additional people on site would not mean a significant intensification of the site. However, I am mindful that the proposal would accommodate four households on the site where currently two exist, and in an area where surrounding plots are predominantly occupied by single households.
11. In my view, people and vehicle movements associated with future occupiers and their visitors can reasonably be expected to increase as a result of the doubling of the number of households on the site. Moreover, refuse collections and domestic deliveries would also be likely to increase, generating greater activity on the site. The rear garden area would be used by four households for everyday functions such as drying washing or as external amenity space. I am not persuaded that this increase in activity would have no greater potential for causing noise and disturbance for occupiers of adjacent properties than the current arrangement.
12. Overall, I consider that introducing four flats in this location would generate a significant increase in activity on the site and as such would undermine the established character of the area. Furthermore, there appears to be a reasonable prospect of similar development being repeated in the vicinity of the site, the cumulative effect of which would cause further erosion of the character of this part of Bridge Lane.
13. For the same reasons, I disagree with submissions that had the appeal development proposed three flats each with two bedrooms it would have resulted in a loss of activity to the site compared to the existing arrangement. I acknowledge that bin and cycle stores and increased areas of hard standing for parking could be erected by occupiers of neighbouring properties, although as

long as they remain as single household dwellings, I consider that the need or desire to do so would be limited.

14. In determining this appeal, I have had regard to the decision of a previous Inspector in 2014 to allow the sub-division of 62 Bridge Lane to form two self-contained flats. No.62 is a semi-detached property on the north eastern side of Bridge Lane. In determining that appeal, the Inspector had regard to the character of the area surrounding the site, which included part of Bridge Lane and the nearest parts of Hallswelle Road and Hayes Crescent. I visited these roads and found that they exhibited a markedly more mixed character than the area relevant to the proposal before me, including the presence of purpose built flats.
15. Moreover, in that case the original property was retained and converted whereas the appeal development proposes significant enlargement and complete rebuilding. In addition, use of that site was intensified to accommodate two households whereas the appeal proposal would accommodate four households. For all of these reasons, while there is relatively short distance between no.62 and the appeal site, I do not consider that the case is directly analogous to the proposal before me. I therefore attach only limited weight to that decision in my consideration of this appeal.
16. I have also had regard to the fact that the appeal property already functions as two flats. Whilst no planning permission for the sub-division of the original house appears to exist, council tax records indicate that it has been operating as flats since approximately 1993. The Council has indicated that a lawful development certificate to establish the use for two flats would be likely to be granted if applied for and I afford this moderate weight in my decision. Nonetheless, I have found above that the appeal development would result in a significant further intensification of the site over and above its current use which would detrimentally erode the character of the area.
17. Taking all of these matters into account, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area. I therefore find conflict with Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies Development Plan Document and the Residential Design Guide Supplementary Planning Document (adopted April 2013), which together seek to protect and enhance Barnet's character to create high quality places.

Conclusions

18. The appeal site occupies an accessible location, with good connectivity to local services, public transport links and the North Circular road. The internal and external space provided for each flat would also exceed the minimum unit size requirements of the London Plan (2016). These are matters that weigh in favour of the proposal. However, these benefits are not sufficient to outweigh the unacceptable harm that I have identified above.
19. For the reasons given above I conclude that the appeal should be dismissed.

J F Powis

INSPECTOR