
Appeal Decision

Site visit made on 8 November 2016

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 17 November 2016

Appeal Ref: APP/N5090/W/3154978

White Lodge, The Vale, Childs Hill, London NW11 8ST

- 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 Nitzan Atzmon against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1235/FUL, dated 25 February 2016, was refused by notice dated 30 June 2016.
 - The development proposed is addition of floor to existing block, addition of passenger lift enclosure and extended refuse store, external refurbishment of building and replacement of existing openings, enhancement/modernisation of internal common parts, addition of low perimeter walling with hedging and landscaping to create private shared amenity space, new entrance pathway, provision of two new car parking spaces with crossover and existing car park area resurfacing.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the surrounding area, and the effect of the proposal on the living conditions of neighbours, with particular reference to outlook and overlooking.

Reasons

Character and appearance

3. The appeal site occupies a prominent corner position at the junction of Hodford Road and The Vale, which exposes it to longer views within the streetscene. This visual prominence is exacerbated by its height in comparison to the neighbouring buildings. Consequently, the site has a strong influence on the character and appearance of the immediate area.
 4. The existing building is a sizable modern development of three storeys at the corner, rising to four storeys in response to the topography of the land. It has with a flat roof and a blocky geometric appearance which are in keeping with its era of construction in the 1960s-70s. However, the appearance of the building contrasts with that of the surrounding area, which is largely characterised by two storey dwellings of more traditional form, with pitched roofs. The built character of the Vale is more varied in style, but is fairly consistent in terms of scale.
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5. The proposed roof extension would add a further storey to the appeal site. The new upper storey would be slightly recessed at a number of points, resulting in a stepped appearance which would be further at odds with the prevailing character of the surrounding properties. A new balcony would be added at the north-east corner, giving greater prominence to the structure at the junction. The proposed use of glass panels for the balconies would reduce their visual impact to an extent. However, it would allow the accumulation of domestic paraphernalia on the balconies to be more obvious, and the resultant visual clutter would detract from the appearance of the building.
6. I accept that the extension, as built, would not appear to the eye exactly as it does on the proposed plans. Nonetheless, the proposal would be clearly visible in this exposed location, as demonstrated by the submitted photomontages which show the building as it would appear from the surrounding area. The additional storey would give a disproportionate bulk to the upper level of the existing building, making it appear overly dominant in relation to the more modest scale of the buildings in the vicinity.
7. I therefore conclude that the proposal would have an unacceptably harmful effect on the character and appearance of the surrounding area. It would thus conflict with Policy CS5 of Barnet's Local Plan Core Strategy (CS, September 2012) insofar as it seeks to ensure that development will respect local context and distinctive local character. It would also conflict with Policy DM01 of Barnet's Local Plan Development Management Policies (DMP, September 2012), which, amongst other things, seeks to preserve or enhance local character. The proposal would further conflict with the National Planning Policy Framework, which attaches great importance to the design of the built environment, and Policy 7.6 of the London Plan (March 2015), which seeks to ensure that architecture should make a positive contribution.
8. The appellant indicates that the whole building, including the extension, would be finished in white insulating render in order to improve its energy efficiency and unify its appearance. Windows and doors would also be replaced for similar reasons. Whilst such improvements in themselves would no doubt be welcome, there would be no mechanism whereby they could be tied to a planning permission if I were to allow the appeal. For that reason, I can afford these matters little weight in my consideration.
9. I accept that the Council has raised no objection to other elements of the proposal such as the addition of a lift, cycle and bin storage, and hard and soft landscaping of the areas around the building. Whilst I agree with that position, and accept that these measures would be in line with the advice given in paragraph 040 of the PPG, it has not led me to a different conclusion on this issue.
10. The appellant states that the development is required to fund the overall refurbishment of the appeal site, and that without it, no additional investment will be made in the building. However, no substantive evidence is before me in relation to this matter, and so I can afford it only limited weight. I have had regard to the letters of support for the proposal, but these have not led me to a different conclusion.

Living conditions

11. The Council has also raised concerns over the effect of the proposal on the living conditions of neighbouring occupants at 87 Hodford Road. No 87 is located immediately to the south of the appeal site, and its main aspects face to the east and west. The extension would be set back slightly from the southern edge of the existing building. Therefore, whilst the additional height of the extension would be perceived from the front and rear gardens of No 87, it would be peripheral to the outlook from these areas, and so the visual impact of the extension would not be unacceptably harmful.
12. Whilst there would be some scope for the overlooking of the rear garden of No 87 from the balcony of proposed Flat 11, any views would be oblique, and the intervening distance would be such that any overlooking of the garden would not be unduly harmful.
13. I therefore conclude that the development would comply with DMP Policy DM01, which amongst other things seeks to ensure that development proposals allow for privacy and outlook for adjoining occupiers.

Conclusion

14. Despite my finding that the development would not harm the living conditions of neighbours, it would unacceptably harm the character and appearance of the area. Taking all other matters into consideration, I therefore conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR