

Appeal Decision

Site visit made on 4th January 2017

by Alison Roland BSc DipTP MRTPI

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

Decision date: 17 January 2017

Appeal Ref: APP/N5090/D16/3163642

47 Lorian Close, North Finchley, London, N12 7DW.

- 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 W Choi against the decision of the Council of the London Borough of Barnet.
 - The application Ref: 16/4212/HSE, dated 27 June 2016 was refused by notice dated 1 September 2016.
 - The development proposed is erection of new brick wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the implications of the proposal for the character and appearance of the area.

Reasons

3. No 47 Lorian Close is an end terraced dwelling whose rear and side elevations face Holden Road and Tillingham Way respectively. The side and rear garden of the property is defined by a brick wall with trellising, beyond which lies a grassed area which the proposed wall would enclose.
 4. The appellant maintains that the grassed area comprises part of the garden to the property, but whatever its legal status, the fact is that it presently appears as part of a landscaped amenity area, which is functionally and visually separated from the garden areas by the aforementioned brick wall. At the time of my visit the perimeter of the land (an area somewhat larger than that proposed for enclosure as part of this appeal), had been partially enclosed by an incomplete low fence or the remains thereof and some landscaping had been planted along the westernmost section. Nonetheless the essential physical attribute of this land as open space was clearly evident.
 5. The proposed wall would be unexceptional in appearance in its own right. However, I have concerns that the enclosure of the land in the manner proposed would appear out of character with the street scene. At present, the open nature of the land contributes to the sense of space at the junction of Tillingham Way with Holden Road and provides welcome visual relief from the
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relatively dense pattern of urban development in the locality. It appears contiguous with and forms part of a wider landscaped area which extends to the West along Tillingham Way and to the North along Holden Road. Its enclosure by the proposed wall would undermine its sense of openness and the contribution it presently makes to the character of the street scene. Although the wall would not extend all the way up to the two road frontages, the area of land remaining would be confined to a relatively narrow strip along Tillingham Way.

6. The appellant maintains that the wall would reflect the boundary at Nos 89-91 Holden Road on the opposite side of the Road. However, whilst the side boundary to those properties abuts the back edge of the pavement, this is simply a reflection of the original layout of the estate with the buildings being sited closer to the road frontages. In contrast, it appears that the properties on Lorian Close were purposely set back from the road frontages in order to impart a sense of space around the junction of Tillingham Way with Holden Road. This sense of space would be seriously undermined by the proposed wall.
7. The appellant also cites a wall at No 1 Guildown Avenue which I viewed at my visit. However, this is a much shorter section of wall which encloses a considerably smaller piece of land than the proposed wall would. I therefore do not consider it is directly comparable thereto. I also recognise the appellant's case that the proposed wall would create a safe, secure and relatively private environment for the occupiers of the appeal property. Nonetheless, there is no evidence to suggest that the existing garden is deficient in these regards. Either way, I consider any benefits in relation to these matters would be outweighed by the harm identified.
8. Overall on the main issue, I find that the proposal would not integrate satisfactorily with the prevailing character or appearance of the area. This would bring it into conflict with Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan Document (2012), Policies CS NPPF, CS1 and CS5 of the Barnet's Local Plan Core Strategy (2012) and the advice in the Supplementary Planning Document: *Residential Design Guidance* (2013). These seek to ensure that development proposals are of a high standard of design that preserves or enhances local character and context and improves the environmental conditions in Barnet.

ALISON ROLAND

INSPECTOR