
Appeal Decision

Site visit made on 7 February 2017

by G Rollings BA(Hons) MA(UD) MRTPI

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

Decision date: 24 February 2017

Appeal Ref: APP/N5090/D/16/3166244

31 Parkside, Mill Hill, London, NW7 2LJ

- 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 Fabian Miller against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/5428/HSE, dated 16 August 2016, was refused by notice dated 13 October 2016.
 - The development proposed is new boundary wall/railings and gates and associated vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site accommodates a detached dwelling with front garden. There is currently a dropped kerb and crossover enabling access into the site adjacent to its southern boundary, and the appellant has advised that permission has been granted for a second crossover and dropped kerb adjacent to the site's northern boundary. The appeal proposal seeks permission for metal fencing along the entire frontage of the property, supported by brick columns and incorporating one pedestrian and two vehicular entrance gates, with a height along its length of approximately 1.75 metres.
 4. The appeal site is in a street of similar properties benefiting from front gardens, most of which have some degree of enclosure. Nearly all of these examples incorporate traditional hedge or vegetation boundaries of low height, or more commonly, low brick or stone walls. The exceptions to this are the four properties at 30, 32 and 34 Parkside, 1 The Rise, all of which have taller brick and metal gates and fences, similar to the height of the proposed additions. Despite being divided by an intersecting street, these addresses together form a cluster of similarly enclosed properties which are at odds with the otherwise established character of the other properties in the street.
 5. These four properties are located on the opposite side of Parkside, slightly offset to and facing the appeal property. They are near a slight bend in the street, thus they are highly visible in oncoming views, particularly from the
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northern approach of Parkside. There are no similarly enclosed properties on the eastern side of Parkside, which is where the appeal site is located, thus although they are highly visible, their style is not repeated elsewhere in the immediate area. In the case of the appeal property, the high level of enclosure that is proposed would represent the sole example of its type in views of the property and its neighbours on the same side of the street. As a result of its incongruity, it would particularly stand out in these views, and as such, it would appear out of place, obtrusive, and out of character with the surrounding properties and the street scene.

6. I acknowledge the appellant's comments that the aforementioned neighbouring examples might have set a precedent for this type of development to occur elsewhere in the street. However, as I have already noted, this cluster is an isolated example of its type and is not reflected elsewhere in the street. Enabling further examples of the proposed level of enclosure would be derivative of the prevailing character and appearance of the street and its other properties. Furthermore, the proposal would conflict with the Council's adopted Residential Design Guidance Supplementary Planning Document (2016) (SPD), which requires front boundaries to reinforce the prevailing character of the streetscape. Although the SPD provides guidance and is not part of the adopted development plan for the area, it was the subject of a significant amount of local consultation prior to its adoption. As such, I have afforded it significant weight in my decision.
7. I have also taken account of the appellant's comments that the pre-application advice received from the Council was at odds with its final decision. However, this has no bearing on the planning merits of the case before me, which I have used to inform my decision. I therefore conclude that the proposed development would be harmful to the character and appearance of the area. It would conflict with Barnet's Local Plan (Core Strategy) (2012) Policy CS5, Barnet's Local Plan (Development Management Policies) (2012) Policy DM01, and the strategic design Policy 7.6 of The London Plan (2015). Together, these policies require development to respond positively to its local context, and protect and enhance the gardens of residential properties, amongst other factors.

Conclusion

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

G Rollings

INSPECTOR