
Appeal Decision

Site visit made on 31 January 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 24 February 2017

Appeal Ref: APP/N5090/16/W/3161060

8 Redbourne Avenue, Finchley, London N3 2BS

- 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 Ray Gabriele against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/1270/FUL, dated 25 February 2016, was refused by notice dated 30 June 2016.
 - The development proposed is conversion of a dwelling house into 3 self-contained units associated car parking, amenity space, refuse & recycle storage area (amended scheme to refused application Ref: 15/03795/FUL).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of development on:
 - (a) the living conditions of occupiers of neighbouring properties with regards to noise and disturbance;
 - (b) the character and appearance of the area; and
 - (c) parking and highway safety.

Reasons

Living conditions

3. A previous appeal decision¹ for this site concerning the conversion of the property into four flats found that the presence of four independent households and associated comings and goings would represent an unacceptable intensification of use likely to give rise to considerable noise and disturbance to occupiers of neighbouring properties.
4. The Council indicate that while the current appeal proposal involves one less flat, the number of people occupying the building would be similar to the previous appeal scheme due to the individual unit sizes. I have not been provided with the plans relating to the previous appeal decision and the Council's figures in Table 1 of their appeal statement do not seem to add up. However, it is reasonable to conclude based on the number of bedrooms and

¹ APP/N5090/A/14/2225392

the size of the ground floor flat in particular that around 11 people could be living in the proposed development.

5. The appellant argues that the existing property could accommodate up to 10 people. As a five bedroom single family dwelling house that would likely contain children of differing ages and gender, I consider that this figure is excessive. A total of around 6 or 7 occupants would be more feasible and the property would function as a single household. In contrast, three flats would involve three households, with a potentially greater total number of occupants as indicated in the previous paragraph. Compared to a single dwelling, three flats would still involve an intensification of use that would result in more comings and goings and activity within and around the property. This would likely have a noticeable adverse effect on the living conditions of occupiers of neighbouring properties in terms of noise and disturbance.
6. Concluding on this main issue, the proposed development would have an adverse effect on the living conditions of occupiers of neighbouring properties in terms of noise and disturbance. Therefore, it would not accord with Policies CS1 and CS5 of the Barnet Core Strategy 2012 ('the Core Strategy') or Policies DM01 and DM04 of the Barnet Development Management Policies 2012 (BDMP). Amongst other things, these policies seek attractive environments for people who live in Barnet and the protection of amenity for existing and future occupiers. These policy objectives are supported by the Residential Design Guidance Supplementary Planning Document 2013 (SPD). The development would also not accord with the National Planning Policy Framework (NPPF) which seeks a good standard of amenity for all.

Character and appearance

7. Redbourne Avenue is predominantly formed of large semi-detached properties, many of which remain single dwellings. At my site visit, I observed that several properties have been sub-divided into flats. These converted properties do not have an immediately obvious effect on the character and appearance of area other than the number of wheelie bins. A greater amount of people movement and activity associated with these converted properties compared to single dwellings would, at times, have some adverse effect on character and appearance. Conversely, a high level of off-road car parking provision is not merely restricted to converted properties, nor is the loss of green space to provide such provision, and so this element does not detract from the character and appearance of the area.
8. The plans for the appeal proposal indicate storage for four wheelie bins to the rear of the property. The Council has identified a requirement for six wheelie bins for this development. Reading the guidance on bin provision as submitted by the Council, I am not clear how this figure has been reached, but I agree that it is likely that more than four wheelie bins would be required given the number of flats and the different types of bins for recycling and general waste.
9. The passageway between the side of the property and the shared boundary with 10 Redbourne Avenue is tight, but wide enough for a standard wheelie bin. Nevertheless, I accept that it is commonplace for properties to store bins at the front and this was certainly the case elsewhere on Redbourne Avenue. Due to the lack of wheelie bin storage space at the rear and difficulties in enforcing storage at the rear, a number of wheelie bins displayed at the front of the property would detract from the character and appearance of the area.

10. The Council also indicates that at least three spaces for cycle storage would be required, and the plans do not show provision for any such storage. There is no reason why bikes could not be stored at the rear of the property, but they could equally be stored at the front. A number of bikes parked in front of the property would not be as visually intrusive as cars or wheelie bins given their size and appearance, but would add to a cluttered street scene. An intensification of use within the property and an increase in the number of converted properties would also have some adverse effect on the character and appearance of the area.
11. Concluding on this main issue, the proposed development would detract from the character and appearance of the area. Therefore, it would not accord with Policies CS1 and CS5 of the Core Strategy and BDMP Policy DM01 which, amongst other things, seek high quality development that preserves or enhances local character. These policy aims are supported by the Residential Design Guidance SPD and sought by the NPPF in terms of requiring good design.

Parking and highway safety

12. Redbourne Avenue is wide enough for on-street parking along both sides. Due to its cul-de-sac layout, the road appeared quiet at the time of my site visit in terms of vehicle movements. Parking is within marked bays that are restricted between 2 and 3pm on Mondays to Fridays to resident permit holders only.
13. At the start of my site visit at 1:30pm, the road was busy with parked cars and vans, although it got quieter towards the end of the road and after 2pm. I observed that most properties have at least one off-street parking space with some front gardens entirely paved for parking. The appellant indicates less parking stress overnight, but my overall impression during the daytime is that on-street parking can be close to capacity outside of the restricted hour.
14. BDMP Policy DM17 sets out a maximum of 1.5 to 1 parking spaces per unit for flats of 2 to 3 bedrooms. The plans show three off-street parking spaces in front of the property which, based on my site visit observations, would be sufficient in width and length to accommodate three cars. Given the proximity of underground and bus services within Finchley Church End town centre, the level of parking provision would be satisfactory. The loss of an existing on-street parking bay in front of the property would be offset by a gain in off-street parking spaces.
15. However, from the evidence before me, there is no certainty that the Council's highways department has given consent for a new vehicle crossover and the loss of the existing on-street parking bay. Without this consent, it would only be possible for one car to be parked independently in front of the property. This would increase pressure for on-street parking which is already close to capacity at times. The width and quiet nature of the road, combined with a finite amount of on-street parking space means that negative effects on the free flow of traffic and highway safety are limited. However, it would increase parking stress and decrease the availability of spaces for residents and others.
16. Concluding on this main issue, in the absence of evidence to confirm that three off-site parking spaces could be achieved, the proposed development would have a negative effect on parking provision, although it would only have limited

harm to highway safety. Therefore, it would not accord with Policy DM17 of the BDMP which, amongst other things, seeks adequate parking provision.

Other Matters

17. Interested parties have raised concerns with a number of other matters including the adequacy of the internal layout of the proposed flats and the local need for larger family housing. While I have had regard to these matters, they have not led me to any different overall conclusion.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR