
Appeal Decision

Site visit made on 15 May and 5 June 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 3 July 2017

Appeal Ref: APP/N5090/W/17/3168129
47-51 Alexandra Grove, London N12 8HE

- 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 Realty Control Limited against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/7042/FUL, dated 3 November 2016, was refused by notice dated 5 January 2017.
 - The development proposed is demolition of the existing residential buildings at Nos 47-51 Alexandra Grove in favour of a new residential development (C3 Use Class) comprising a pair of semi-detached houses and 6 mews style terraced houses with associated access, car parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - The effects of the proposal on the character of the area
 - The effects of the proposal on neighbours
 - The living conditions of future residents
 - The adequacy of the entrance/disabled parking/cycle store arrangement.

Reasons

The effects of the proposal on the character of the area

3. The appeal site currently accommodates a pair of semi-detached houses (Nos 47 and 49) and a detached house (No 51). These houses are set within a consistent run of houses on this side of Alexandra Grove, all of which have generous rear gardens, as far as I could see. Along with the properties on the neighbouring Nether Street and Hillcourt Avenue, the rear gardens form a significant green area containing a large amount of planting and trees. It was notable at my site visit that the rear gardens have a verdant and quiet character, in contrast to the rather busy suburban roads.
4. The proposal would result in the construction of a pair of semi-detached houses on the street frontage and a terrace of 6 houses running the length of the site. The proposed houses would have basements and 3 upper floors. The rear

gardens proposed would be much smaller than the existing ones and would contain basement accommodation beneath them.

5. Within the rear area of the site, the proposed houses would be provided with only a relatively short distance between the buildings and the site boundaries; the proposed balconies and projecting glazed sections would reduce this further. The proposed pair of houses on the frontage would also only have a very short space between them and the proposed properties at the rear.
6. I have taken account of other architectural styles, land uses and building forms in the area but I did not observe any that replicate the proposal. Whilst there may be some that contain a 'finer grain' in their appearance, none that I observed is similar to the proposal. In my judgement the imposition of a terrace of buildings running virtually the entire length of the site with uncharacteristically short distances separating its main elevations from its boundary would have a significantly negative effect on the character of this area. The characteristic long and green rear gardens would be lost by the proposal and replaced by a long building placed a short distance from its boundaries. I consider that this would appear significantly out of place within its setting. Its harsh appearance would be made worse by the significant amount of hard surfacing represented by the access road and parking areas and the much reduced opportunity for planting of any significance as a result of this and the large basement areas. As a result of these matters the proposal is contrary Policies CS1, CS4 and CS5 of the Core Strategy (CS), Policy DM01 of the Development Management Policies (DMP) and Policies 3.5, 7.2 and 7.4 of The London Plan (LP).

The effects of the proposal on neighbours

7. The plans indicate that the front elevation of the terrace of houses would be 11.5m from the boundary with No 45 Alexandra Grove and the proposed balconies and front projections would be closer. At the rear it is indicated that the distance would be 8m (to the boundary with the gardens of Nether Street) and this would be reduced by the large projecting first and second floor elements.
8. I note that the Council's normal acceptable minimum distance in such instances is 10.5m. Whilst this would be just met in relation to No 45 Alexandra Grove, I consider that the provision of 6 houses sitting just at the minimum distance, all with balconies, running for almost the length of the rear garden area would mean that the residents of No 45 would feel overlooked and the proposal would have an overbearing effect on them.
9. The properties on Nether Street sit at a lower level than the appeal site and so I consider that the effects on those neighbouring residents would be made worse by the topography. Whilst I recognise that the distance between the buildings here would be acceptable and considerably in excess of the Council's minimum, I consider that the effect on residents when using their gardens would be unacceptable and the proposal would give rise to a loss of privacy and would appear overbearing.
10. In addition, the position of the access and parking areas would mean that a level of activity which is not currently experienced would be brought into this quiet rear area. Whilst it would only be associated with 6 houses, I consider that the peaceful nature of the existing gardens and the proximity of the access

so close to the boundary with No 45 would mean that it would give rise to unacceptable disturbance to those neighbours.

11. The appellant has stated that privacy screens and planting could overcome any effects in respect of these points. It is difficult to envisage a privacy screen that would prevent overlooking of neighbours but allow for a suitable outlook for future residents and I have considerable doubts that this could be satisfactorily provided. It would also not address the overbearing effects of the building. In relation to planting, as I have commented above, there seems very little prospect of achieving this at a suitable level on the site in view of the areas of hard-standing and basements; very little is indicated on the drawings.
12. In view of these matters I find that the proposal is contrary to the provisions of Policy CS5 of the CS, DM01 of the DMP and Policies 3.5 and 7.4 of the LP.

The living conditions of future residents

13. The Council sets out its normal minimum requirement in this respect within its 'Sustainable Design and Construction' SPD. Even including external balconies at the front and rear and the basement level void, it is clear to me that the provision would fall significantly below what would normally be required for houses of the size proposed.
14. Whilst I accept that such standards should be used as a guide, in this case the very small garden areas would be insufficient to provide for the normal outdoor use that a family may reasonably require. This also reinforces my conclusions in relation to the lack of space around the building and its effects on the surrounding area.
15. In addition, the proposed semi-detached houses on plots 7 and 8 are shown to have privacy screens at the rear in order to prevent overlooking of the houses to the rear. In my judgement, the proximity of these houses would mean that they would appear overbearing to the future residents of plots 7 and 8 and the privacy screens would be likely to unreasonably affect outlook and so would be unacceptable. As a result of my findings on this issue, the proposal is contrary to Policies CS1, CS5, DM01 and DM02.

The adequacy of the entrance/disabled parking/cycle store arrangement

16. The Council have indicated that the proposed disabled parking spaces may have restricted manoeuvring space due to the proposed gates. Furthermore, the gates may restrict use of the cycle stores. However, the Council appear to accept that this could be resolved by the inclusion of a suitable condition, if permission were to be granted. From my own assessment, I agree that some revision would be necessary and could be resolved by submissions required by a condition.

Conclusions

17. I acknowledge that the proposal would bring about new homes in an accessible location and that this is a benefit of the scheme. However, I find that it would have significantly detrimental effects on the character of the area and on the living conditions of neighbours, contrary to the provisions of the development plan. The proposal would also not provide suitable living conditions for future residents in relation to amenity space and outlook, raising further conflict with planning policies. I have taken account of all other matters raised but I find

nothing to lead me to a different conclusions. As a consequence, the appeal is dismissed.

S T Wood

INSPECTOR