
Appeal Decision

Site visit made on 7 June 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 24th July 2017

Appeal Ref: APP/N5090/W/17/3169046

107 Bridge Lane, Golders Green, London NW11 0EU

- 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 and Mrs Meyers against the decision of the Council of the London Borough of Barnet.
 - The application Ref: 16/5867/FUL, dated 8 September 2016, was refused by notice dated 11 November 2016.
 - The development proposed is extension of existing property and subdivision to provide 3x flats (1x three-bed; 2x two-bed) provision of private amenity space for each; forecourt car parking for 4 cars and shared cycle parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the proposed development on the living conditions of the occupiers of 105 Bridge Lane, with particular regard to outlook and overbearing; and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Living conditions of the occupiers of 105 Bridge Lane

3. The appeal proposal would see a large flat roofed extension projecting 4.7 metres from the rear wall of the main house. This would be very close to the common boundary with number 105 Bridge Lane. I saw when I visited the site that number 105 has a ground floor rear extension with patio doors on the part closest to the common boundary with the appeal building. The proposed extension would be visible over the fence on this boundary and, as a result of its proximity would significantly increase the degree of enclosure. This would be exacerbated by the relationship between the main side wall of the appeal building and the boundary.
4. The submitted drawings show that the proposed extension would very slightly impinge on a 45 degree angle taken from the centre point of the closest ground floor window at 109. Whilst this information is not shown for number 105, it is apparent from the submitted drawings that there would be a much greater

degree of intersection. This would, in my opinion, result in an overbearing structure that would be highly visible from the ground floor rear windows of number 105 and would as a result adversely affect the living conditions of the occupiers of that house. Although there is existing landscaping on the boundary it has not demonstrated that this can be retained.

5. The appellant suggests that a ground floor rear extension projecting 4 metres could be constructed under permitted development rights. Whilst this may be the case, the planning history suggests that the appeal building has previously been extended to the rear and the permitted development rights afforded by the General Permitted Development Order relate to the projection of the extension from the original rear wall of the dwelling. Consequently, I give little weight to this point.
6. Given the arrangement of windows, the proposed dormers would not be visible from within the neighbouring dwelling and, due to the distances involved, any effect on external spaces as a result of the new or enlarged dormers would be insignificant. However, of itself, this does not outweigh the other harm that I have found.
7. I therefore conclude that the proposed development would cause harm to the living conditions of the occupiers of number 105 Bridge Lane. It would be contrary to the relevant requirements of Policy DM01 of the Barnet Development Management Policies Development Plan Document 2012 (DMP) and the Barnet Residential Design Guidance Supplementary Planning Guidance (SPD) which seek to ensure that development does not adversely affect the living conditions of the occupiers of adjoining properties. It would also be inconsistent with the advice in the National Planning Policy Framework (the Framework) which seeks to ensure a good standard of amenity.
8. Although the reason for refusal also refers to Policies CS1 and CS5 of the Barnet Core Strategy 2012 (Core Strategy), neither Policy directly refers to protecting the living conditions of neighbouring occupiers so they are not directly relevant to this issue.

Character and appearance

9. Criteria i of DMP Policy DM01 states that loss of houses in roads characterised by houses will not normally be appropriate. The SPD identifies that conversions to flats can harm the character of areas by changing external appearance of building and increasing activity. Core Strategy Policy CS5 seeks to ensure that development respects local context and distinctive local character.
10. There is some disagreement between the parties as to the number of previous conversions in the street. I saw when I visited the site that there are a number of properties that have been converted however, Bridge Lane is a long street and these were just a small proportion of the dwellings in it. In general Bridge Lane, and the streets leading off, it appear to be predominantly made up of houses in single family occupation. Nevertheless, in terms of character of the street, the proposal would retain an essentially similar entrance arrangement to the existing house with one entrance serving all three of the proposed flats. Regardless of the proposed front dormers, the appeal building would not read as a subdivided property and would still retain many of the characteristics of a single dwelling when viewed from the public domain. In this respect the

proposal would not be out of character with the surrounding area which consists of substantial dwellings, many of which have been altered or extended.

11. Although there would be alteration to the frontage to accommodate additional car parking, I saw that in the street whilst some frontages are enclosed there are also others which are much more open. I also note that the council do not find this aspect of the proposal objectionable. Whilst the additional dwellings would result in some additional activity, within the wider context of the extensive residential area and the fact that Bridge Lane acts as a connection between the North Circular Road and Finchley Road, and as a consequence is busier than the surrounding residential streets, a small amount of additional activity would not significantly alter the prevailing character of the street.
12. I identify no conflict therefore with criteria i. of Policy DM01, the SPD or Core Strategy Policy CS5.
13. In order to facilitate the conversion some of the existing dormers would be enlarged in addition to the construction of two new dormers on the front roof slope. Although the side dormer on the east roof slope is less visible due to the proximity to number 105, I saw when I visited the site that those on that on the west and rear roof slopes are very visible from Princes Park Road.
14. Whilst the buildings in the surrounding area exhibit a range of architectural styles and a variety of roof forms, most are of a similar age. A common palette of materials, similar proportions and a generally uncluttered roofscape give the area a cohesive appearance.
15. The proposed new dormers on front roof slope and enlarged dormers on the west and rear roof slopes, contrary to the appellant's contention, would be significantly larger than the current ones. As a result, these would fundamentally alter the shape of the roof and would appear as highly visible, disproportionately large and incongruous features, despite being finished in hanging tiles to match the roof of the house. Whilst there are some prominent large dormers present they are not a defining characteristic of the area. During my site visit, I was able to see the various examples of other dormers shown in the evidence. Most are better proportioned in relation to the roofs. Those which are overly large are very much in the minority and I do not know the full circumstances that led to these being accepted or the policies that applies at the time. They do not provide a good example to follow.
16. Even though the appeal building is not within conservation area, the development plan policies and the Framework are clear that new development is expected to be of a high standard of design that respects its context and the character of the area.
17. Taken as a whole, the proposal would cause harm to the character and appearance of the area. It would not comply with the relevant requirements of Policies 7.4 and 7.6 of the London Plan 2016; Core Strategy Policies CS NPPF, CS1 and CS5; Policy DM01 of the DMP and the Barnet Residential Design Guidance Supplementary Planning Guidance which seek to ensure that new development is of a high standard of design that has regard to its context and reflects the distinctive character of the area.

Other matters

18. Whilst the Framework expects housing proposals to be considered in the context of the presumption in favour of sustainable development, this does not displace the requirement in s38(6) of the Planning and Compulsory Purchase Act 2004 that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. I have found that the proposed development does not accord with the relevant policies in the development plan, and there are no material considerations before me sufficient to indicate that the decision should be made other than in line with the policies of the development plan.

Conclusion

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

John Dowsett

INSPECTOR