
Appeal Decision

Site visit made on 5 July 2017

by J Gilbert MA (Hons) MTP MRTPI

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

Decision date: 04 August 2017

Appeal Ref: APP/N5090/W/17/3172504

4 Cheviot Gate, Cricklewood, London NW2 1QG

- 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 Reza Fard against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/6115/FUL, dated 20 September 2016, was refused by notice dated 21 December 2016.
 - The development proposed is conversion of existing single dwellinghouse to 2 self-contained flats.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Although the application was made in the name of Mr Fard, the appeal was initially made in the name of Mr Salvatore Avenzato. The applicant has confirmed that he has authorised Mr Avenzato to act on his behalf in this appeal. As such, I have used the applicant's name in the heading above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Part of the established Golders Green Estate, Cheviot Gate is characterised by two-storey semi-detached houses, dating from the interwar period. For the most part, properties in the wider suburban area appear to be in single family occupation. The houses on Cheviot Gate in the immediate vicinity of the appeal site appear to be a coherent group of single family houses which typify the established character of the area. It is this character which policy DM01 of Barnet's Local Plan Development Management Policies (BLPDMP) 2012 seeks to protect from the cumulative effects of intensification of use resulting from the conversion of houses to flats.
 5. The appeal property is one of a semi-detached pair of houses. No 4 has previously been substantially extended at ground, first floor and roof level. The appeal proposal would create 2 self-contained flats, one ground floor two-bedroom unit and a further two-bedroom unit split over the upper two floors of the extended property. The appeal scheme does not involve further physical
-

- alterations to the exterior of the building. The appeal property has a small front garden and a large rear garden with a large outbuilding.
6. The Council's Residential Design Guidance Supplementary Planning Document (SPD) 2013 confirms that conversion proposals are likely to be resisted in areas of low density housing where there are predominantly single family occupation houses. Furthermore, it states that the property should be large enough to be converted without the need for substantial additional extensions. The reasoning behind this is based on the cumulative effect on the character of the area.
 7. Although the external appearance of the building would remain that of a single family home, albeit substantially extended, the conversion of the building into flats would be likely to increase activity, traffic and parking in the small residential cul-de-sac. The level of activity would result from the number of residents living as separate households within the property. Such activity can often involve more movements by both people and vehicles, with the potential for additional noise and disturbance to neighbouring occupiers.
 8. The proposal shows two parking spaces on the site's frontage. The appellant has provided photographs showing parking to the frontage of the property. Although I acknowledge that it is physically possible to park two cars on the front garden area, this is dependent on the size of vehicles. It does not appear to allow for reasonable access to the building and garden, particularly given the size of the existing porch which projects from the front of the property. Parking would dominate the frontage and may also overhang the pavement dependent on the size of vehicles. While additional parking could be accommodated on street and does not in itself warrant dismissal of the appeal, it would contribute to the cumulative effect on the character and appearance of the area.
 9. No information is provided on communal waste/recycling storage for the two flats. This is likely to be stored on the frontage of the property to allow for ease of access for collection. Even if they were stored in the rear garden for the majority of the time, the increase in bins required for the separate households within the property would further clutter the frontage on collection days and would add to the cumulative effect on the character and appearance of the area.
 10. I acknowledge that houses within the Golders Green Estate have been subject to extensions, and that a number of these properties have also been converted to flats. However, the examples provided by the appellant have taken place on larger roads. These examples are therefore not directly comparable with the appeal proposal. The appeal site lies on a street of only 6 houses, where the street's character would be altered significantly by the proposed conversion of the appeal site to 2 flats.
 11. Collectively, I conclude that the additional activity, parking and clutter would have an adverse impact on the character and appearance of the area. The proposal would therefore be contrary to policies CS1 and CS5 of Barnet's Local Plan Core Strategy 2012, policy DM01 of the BLPDMP and the Council's Residential Design Guidance SPD. The Council has also referred to the Sustainable Design and Construction SPD 2013 in its decision notice. I do not consider the proposal to be in conflict with this SPD as the appeal scheme would provide appropriate living conditions for future occupiers in respect of internal space standards, light and outlook, and appropriate levels of external amenity space to meet the SPD's requirements.

12. Policy CS1 is an overarching policy addressing protection and enhancement of the borough and consolidated housing and economic growth. Policy CS5 seeks to ensure that development respects local context and distinctive local character. Policy DM01 looks to protect Barnet's character and amenity. Criterion (h) of policy DM01 confirms that conversion of dwellings into flats in roads characterised by houses will not normally be appropriate, while criterion (i) of the same policy states that loss of houses in roads characterised by houses will not normally be appropriate.

Other Matters

13. I note that the Council has referred to the existing roof extension varying from the permitted consent. I am also aware that the large porch, the side extension and the fenestration of the extended building do not match the elevational drawings on plan 818/CG/03 or the floor plans on plans 818/CG/01 and 818/CG/02. Neighbouring occupiers have also raised the issue of the size and use of the outbuilding in the rear garden, the loss of a tree, and loss of sunlight and lack of privacy to the rear garden of No 3. None of these matters have a direct bearing on the appeal before me for conversion of the building to two flats, but are matters for the local planning authority in the first instance. These issues do not alter my decision.
14. The appellant has made reference to improvements being made to the appeal site in respect of energy efficiency, lowering carbon emissions, and providing secure residential units to reduce opportunities for crime. While these are positive elements of the appeal proposal, they do not overcome the harm identified above. The appellant also asserts that there is a need for homes for smaller families. The relatively limited benefits of 2 proposed flats do not outweigh the harm I have found in this instance. Furthermore, the length of time taken by the Council to determine the application has no bearing on the main issue before me.

Conclusion

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

J Gilbert

INSPECTOR