



Appeal Decision

Site visit made on 11 October 2017

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

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

Decision date: 7th November 2017

Appeal Ref: APP/N5090/W/17/3179632

Wessex Court, 51 West End Lane, Barnet, EN5 2RA

- 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 M Bishop (Bishops) against the decision of the Council of the London Borough of Barnet.
 - The application Ref 17/0453/FUL, dated 26 January 2017, was refused by notice dated 10 May 2017.
 - The development proposed is removal of existing roof and creation of new mansard roof to provide 8 additional flats at second floor level together with an additional 18 off-street parking spaces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the proposed development would provide acceptable living conditions for occupiers, in respect of the provision of amenity space, and cycle and refuse storage.

Reasons

Character and appearance

3. The appeal site accommodates a two-storey flatted block with pitched roof, set back from and aligned parallel with the road. It is surrounded by a landscaped area and car parking, which includes two rows of garages to the rear, and has a road-facing entrance and rear entrance, the latter of which leads to a refuse storage area and car parking. The appeal development proposes the creation of a new floor of accommodation, replacing the existing pitched roof. The mansard-style roof would incorporate numerous dormer windows in both front and rear elevations.
4. Other buildings in the street and surrounding area are mixed in character and appearance. These are predominantly two storeys, and although there is a three-storey block at Gladstone Place behind the appeal site, this is set back from the street and has limited visibility from the public realm. Older buildings on the street are taller than the appeal building, with some raised

above the main street level, and thus despite the common number of storeys, there is no common height.

5. Some of the older buildings also have features such as tall chimneys and front-facing gables, which accentuate their verticality and exaggerate their massing. In particular, the terrace of houses that includes 47 West End Lane is adjacent to the appeal site, across Gladstone Place, and comparatively visible in most street views of the appeal building.
6. The proposed roof extension would not increase the overall height of the building, but would increase its massing and bulk, by substituting the pitched roof with a higher, mansard-style replacement. The dormer windows would be higher than other residential windows on this side of the street, but would be neatly arranged above the existing regular windows. Rather than giving the building a cluttered appearance, they would transform its somewhat institutional appearance into one that would be more recognisably domestic, and would relieve its massing. The part of the building with the bulkiest appearance would be the side elevations but, as these would not directly face West End Lane and would be close to the side boundaries, their impact on the street scene and surrounding properties would be limited.
7. Accordingly, when viewed in the context of the street scene, the building would not appear out of character with the varied styles of its surroundings. Although it would be clearly visible and noticeable, it would not appear incongruous or obtrusive, and would represent an improvement to the building's current appearance.
8. I therefore conclude that the proposed development would not harm the character and appearance of the area. There would be no conflict with *Barnet's Local Plan (Core Strategy)* (2012) Policies CS NPPF, CS1 and CS5, or *Barnet's Local Plan (Development Management Policies)* (2012) (DMP) Policy DM01. Together, these require proposals to achieve a high quality of design and respect prevailing development, amongst other factors.

Living conditions

9. The Council's adopted *Sustainable Design and Construction Supplementary Planning Document* (2016) (SPD) provides guidance on outdoor amenity space provision, with DMP Policy DM02 stating that development will be required to meet this provision. For flats, the SPD suggests provision of 5 square metres (sq.m.) of space per habitable room, and the appellant has calculated the total requirement to be 365 sq.m. The current provision is 322 sq.m., and no new space would be provided, meaning that there would be a shortfall of 43 sq.m. below the SPD guidance.
10. Given the increase in the number of flats on the site, the lack of additional amenity space provision is of concern. I acknowledge the appellant's comments that the space represents an overprovision based on the current number of rooms in the appeal building, but this does not mitigate against future underprovision. Moreover, given that the communal space directly abuts the ground-floor windows of habitable rooms, intensification of use of the current space could detrimentally affect the privacy of existing residents.
11. I have taken into account the appellant's comments that the area around Gladstone Place could be used within the amenity space calculation, which

would result in the recommended provision being exceeded. However, given that this area serves additional dwellings not accounted for in the above calculations, I am reluctant to accept the appellant's suggestion of including an amenity space condition, were the appeal to be allowed. As such, I consider that the underprovision of amenity space against the adopted guidance, and potential intensification of use of the existing space, would harm the living conditions of both existing and future residents.

12. Turning now to bin and cycle storage, appeal plan 423714-3 states that the existing refuse area will be made larger to cater for the increased storage requirement, but no further details of these building works have been provided. Given its location adjacent to amenity space, its enlargement could encroach on amenity space provision which, given the underprovision discussed above, would be unacceptable. The fact that a common storage facility would replace the haphazard arrangement of bins elsewhere on the site is not sufficient to overcome this concern.
13. Furthermore, the appellant's suggestion that the amenity space would also accommodate cycle storage compounds my dissatisfaction on this issue. Accordingly, in the absence of sufficient details, the proposed arrangements are not satisfactory. I therefore conclude that the proposed development would harm the living conditions of existing and future occupiers. It would conflict with Core Strategy Policies CS9 and CS14, and DMP Policies DM01, DM02 and DM17, which together require development to have regard to the amenity of occupiers, waste arrangements, and sustainable transport, amongst other considerations.

Other issues

14. I have read the large number of submissions from interested parties, including those living within the appeal site or nearby. A significant number of these support the scheme, and likewise, I have also considered the benefits that would arise from the proposal, such as the formalisation of the parking space and the improvement of the appeal building for existing occupiers. However, I do not consider that these would outweigh the harm arising from the underprovision of amenity space. Conversely, there are also many objections to the proposal, with many respondents' concerns based on highways and parking matters. Given that I am dismissing the appeal, it has not been necessary for me to consider these issues in further detail.
15. I acknowledge the appellant's view that the development would make a contribution to local housing supply and choice. However, in this case I have no evidence before me to suggest that the Council has not achieved its housing provision targets, or to demonstrate an undersupply. I consider that the material benefit gained in providing several new dwellings is outweighed by the detrimental impact of the proposed development, and have therefore given this matter only limited weight.
16. The appellant has also made comments regarding its views on the Council's handling of the application, but this has not affected the planning merits of the case, on which my decision has been based.

Conclusion

17. Although I have found that the proposed development would not have a negative impact on the character and appearance of the area, this does not mitigate my concern over its effect on the living conditions of occupiers. As such, the harm outweighs the former matter. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Rollings

INSPECTOR