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# Appeal Decision

Site visit made on 11 December 2017

**by D. M. Young BSc (Hons) MA MRTPI MIHE**

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

**Decision date: 9<sup>th</sup> January 2018**

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**Appeal Ref: APP/N5090/W/17/3181270**

**Land to rear of Hillside House, 2-6 Friern Park, London N12 9AF.**

- 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 Ms Aga Slecza against the decision of the Council of the London Borough of Barnet.
  - The application Ref 17/0839/FUL, dated 13 February 2017, was refused by notice dated 18 April 2017.
  - The development proposed is the erection of a two storey detached dwellinghouse with associated amenity space and refuse storage.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken both the site address and description of development from the Appeal Form as these are more accurate than the versions provided on the Application Form.

## Main Issues

3. The main issues are the effect of the development on:
  - (a) the character and appearance of the area;
  - (b) the living conditions of neighbouring and future occupiers, and
  - (c) On-street parking.

## Reasons

### *Character and appearance*

4. The appeal site is located within a car park to the rear of a former 4-storey office building. It is accessed from Friern Park via an undercroft driveway. The site is bounded to the south and north by existing car parks and an electricity substation. To the west are the backs of properties fronting High Street. At the time of my visit the site was in use as part of the car park serving Nos 2-6.
5. Properties in the area although of varying age, scale and form tend to address the road in the traditional manner. Although some back-land development is evident, this is mainly restricted to car parks and outbuildings. I accept that the surrounding area has a mixed residential/commercial character that is not particularly sensitive in street scape terms. Nonetheless, the proposed diminutive 2-storey dwelling would be dwarfed by the larger buildings to the

north and west. Its siting in a relatively open back-land area without a traditional road frontage would be most incongruous and would contrast markedly with the established settlement pattern in the area.

6. Although back-land development of this nature tends to be well screened from public vantages, this would not be the case here as the dwelling would be prominent when viewed from the adjacent public car park. From here it would appear as an uncharacteristic and isolated building encircled by a sea of car parking.
7. Notwithstanding that the detailed design of the dwelling would be acceptable, I conclude that the development by reason of its anomalous proportions and siting would cause unacceptable harm to the character and appearance of the area. It would thus conflict with Policy CS5 of the "*Barnet Local Plan (Core Strategy) Development Plan Document 2012*" (the CS), Policy DM01 of the "*Barnet Local Plan (Development Management Policies) Development Plan Document 2012*" (the DMP) and the "*Residential Design Guide 2016*". Amongst other things these seek development that has an understanding of local characteristics which preserves or enhances local character and respect the appearance, scale, mass, height and pattern of surrounding buildings.

#### *Living conditions*

8. I share the Council's concerns about the living conditions of future occupiers. The house would be surrounded by commercial properties, car parks and an electricity sub-station. These uses either individually or in combination would generate noise and disturbance around the clock. Such an environment would not be conducive to a residential use and would be likely to lead to noise complaints and neighbour disputes. I also have significant concerns about the air quality and amount of overlooking that future residents would be subject to and note that the development would not accord with some of the relevant separation distances in the "*Barnet Sustainable Design and Construction Supplementary Planning Document 2016*" (the SPD). To a lesser extent there would be some loss of privacy to ground floor occupiers of No 2-6. However, I am not persuaded that by itself this would be sufficient reason to withhold planning permission if the proposal were otherwise acceptable.
9. Overall, the living environment for future residents would fall significantly short of the standards envisaged in the development plan. The development would thereby conflict with Policies 3.5 and 7.6 of "*The London Plan 2016*", Policy CS5 of the CS, Standard 31 of the "*Mayors Housing Supplementary Planning Guidance 2016*", Policies DM01 and DM02 of the DMP and advice contained in the SPD. These seek a satisfactory level of amenity including adequate privacy and outlook for potential occupiers and users.

#### *Parking*

10. The appeal site is currently used for car parking presumably in connection with No 2-6. When I conducted my site visit the car park was fully occupied with overspill parking taking place alongside the driveway. Outside the appeal site, the road network is part of a 'Controlled Parking Zone' which, according to the Council, suffers from known parking stress. As such, I am giving limited weight to the appellant's view that there is '*little demand for parking*' in the locality.

11. According to the Council the development would lead to a net reduction of 7 parking spaces. As the appellant has not completed Section 10 of the Application Form or submitted existing/proposed parking layouts, I have no reason to doubt the Council's assessment in this regard. Given that the car park is currently operating at, or near, to capacity, there is nothing in the appellant's submissions to explain where these vehicles would be displaced to. It is also germane that there is an unimplemented permission for a ground floor extension to No 2-6<sup>1</sup> which could potentially increase parking demand on the appeal site.
12. Notwithstanding that the site is conveniently located to local services and public transport, given that the appellant's submissions on the matter of parking are completely bereft of supporting evidence, I have no hesitation in concluding that the development would lead to a significant amount of parking taking place on the public highway to the detriment of highway safety. The development would thus conflict with Policy DMP DM17 and CS Policy CS9. These seek compliance with the Council's parking standards which, inter alia, recognise that many residents will continue to own and travel by car.

### **Conclusion**

13. For the reasons given above and taking into account of all other matters raised, I conclude that the appeal should be dismissed.

*D. M. Young*

Inspector

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<sup>1</sup> LPA ref: 15/07686/FUL