



Appeal Decision

Site visit made on 10 April 2019

By A. J. Boughton MA (IPSD) Dip. Arch. Dip. (Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/N5090/W/18/3218214
1-3 Station Road Hendon London NW4 4FA.

- 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 Avi Dodi against the decision of London Borough of Barnet.
 - The application Ref 17/7885/FUL, dated 13 December 2017, was refused by notice dated 12 June 2018.
 - The development proposed is to extend at roof level to provide a single 2 bedroom flat.
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Decision

1. The appeal is allowed and planning permission is granted to extend at roof level to provide a single 2 bedroom flat at 1-3 Station Road Hendon London NW4 4FA in accordance with the terms of the application, Ref 17/7885/FUL, dated 13 December 2013, and the plans submitted with it, subject to the 8 conditions appearing on the schedule attached.

Preliminary Matters

2. The appellant submitted a further plan (474-002 rev. D) with the appeal to address the third, fourth and fifth refusal reasons which relate to a lack of information as to cycle parking/storage, electric vehicle charging points and the design of the bin storage area, together with a sustainability statement to address the sixth refusal reason. I have determined the appeal on the basis of the plans submitted with the application. However, having regard to Paragraph 54 of the National Planning Policy Framework and matters which might reasonably be dealt with by condition, I have determined the appeal with that also in mind.

Main Issues

3. The main issues are:
 - the effect of the development upon
 - the character and appearance of the area, and
 - highway safety with particular regard to parking arrangementsand
 - whether the development would make adequate provision for cycle parking, electric vehicle charging, minimising carbon emissions and water use.

Reasons

Character and Appearance

4. The appeal site is a large apartment block¹ filling a quadrant-shaped site with the façade following the curve of, but well set back from, Station Road. The building is up to four storeys in height with an additional basement level car park and is capped with a line of dual-pitched roofing structures fronting the building behind a low parapet. The building is prominent by virtue of its width and height. However, the vertical emphasis of the facade into bays with a stepped parapet line successfully assists visual integration with the surrounding built forms, predominantly two-storey housing.
5. The proposal creates a two-bedroom apartment at roof level with a terrace which would replace, and extend behind, part of the existing pitched roof structures which sit behind the façade line. Although this involves some adjustment of slope of the roof, also to the parapets, this would not detract from the elevational treatment and would be contained within the existing height of the building. It seems to me the proposal has been well considered and would successfully integrate into the design such that the change would be hardly noticed from the public realm. Therefore, I do not agree with the Council's assessment as to the proposal being 'completely out of place'.
6. The apartment would not extend for the whole depth of the flat roof surface behind the frontage, but includes a roof terrace at the rear. The alterations behind the frontage include an increase in the height of the access core together with adjustments to the rear parapet. Again, the design successfully integrates the proposal with a marginal and localised increase in height. Due to the setback and overall height of the building relative to its surroundings the effect of inserting the additional dwelling will not be obtrusive, or even apparent in most viewpoints.
7. I therefore conclude the proposal is a well-designed modest extension which does not cause harm to the character and appearance of the area nor to the amenity of other users. The proposal does not conflict with Policies CS1 and CS5 of Barnet's Local Plan Core Strategy (2012) (BLPCS) nor with Policy DM01 of Barnet's Local Plan Development Management Policies (2012) (BLPDMP), which, taken together, require development to be based on an understanding of local characteristics, and seek to manage growth whilst protecting the character of the Borough.

Highway Safety

8. The Council express concern as to the manoeuvring arrangements for vehicles, however, as the appellant points out, the basement parking area is that which was approved with the root permission for the development of the site which included 16 spaces for 18 dwellings then approved². My observations are that although careful manoeuvring would be required the provision is adequate and in any event the parking uses what has been already approved and built.
9. The location has a moderate PTAL rating, but the site's proximity to a main line/suburban rail station stands in its favour as a suitable location for development. I note the concerns of interested parties as to parking stress in

¹ 18 flats and 16 parking spaces together with 2 ground floor commercial units.

² Approval H/01827/11

the locality. However, parking policies seek to balance car ownership with the need to move towards more sustainable modes of transport and the Council have confirmed the adequacy of parking provision, relative to their standards.

10. Overall, I conclude that the development would not conflict with CS9 of the BLPCS nor with DM17 of the BLPDMP which, taken together, seek to ensure the safe and effective management of the highway network.

Sustainable Construction and Transport, Waste and Recycling

11. The sustainability statement provided by the appellant seeks to show how carbon emissions and water usage resulting from the development could be minimised. The appellant's additional plan also seeks to demonstrate how the development could provide for electric vehicle charging and bicycle storage such that, to my mind, all these matters can reasonably be addressed through suitably-worded conditions. Similarly, noting the information provided and that the development would add only one unit to the existing requirement, the Council's concerns as to the adequacy of waste and recycling provision could also be addressed by further details to be submitted through condition.

Other Matters

12. I note the concerns of those as to the impact on access to daylight/sunlight for neighbours. Plainly the existing building will have had an impact on residents in the area when it was constructed due to its mass and height and, potentially, with respect to overlooking. This appeal, however, cannot address harm already caused and I have formed my conclusions on the basis of likely effects of the addition to the existing building. The additional built form of the flat is set back on the existing roof surface with respect to the surrounding property and sits largely within the existing roof structures. Due to the relative height and orientation, and the screening effect of the parapet, I agree with the Council's assessment that it is unlikely that there would be a discernible additional impact on daylight/sunlight available to neighbouring properties as a result of the development, or upon privacy.

Conditions

13. The Council have not suggested conditions, however, having regard to my reasoning, the submissions of the appellant and the refusal reasons, the conditions I have imposed would be uncontentious. A 'plans' condition is necessary to ensure the development proceeds in accordance with the proposals approved as is a requirement to use matching materials. Also, further details of the roof terrace are necessary to ensure a satisfactory appearance of the development. Conditions for the provision of electric vehicle charging and cycle storage together with waste arrangement are needed to make the development acceptable in planning terms as are details of measures to reduce carbon emissions and water usage.

Conclusion

14. Consequently, for the reasons given and taking all matters raised into account, the appeal succeeds.

Andrew Boughton

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with the following plans:

Proposed Ground Floor Plan and Refuse Area	474-002 (revision B)
Proposed Fourth Floor Plan	474-200 (revision A)
Proposed Elevations	474-201 (revision C)
Proposed Section A-A & B-B	474-202 (revision A)
- 3) The materials to be used in the external surfaces of the works hereby approved shall match those used on the existing building.
- 4) Prior to the first use of the roof terrace shown on the approved drawings, or the erection of any structure or surfacing thereon, details of the finishes, enclosures or structures (which shall include any replacement of photo-voltaic panels affected by the development), shall be first submitted to, and approved in writing by, the Local Planning Authority and the development shall proceed in accordance with those details.
- 5) The development hereby approved shall not be occupied unless and until a scheme for electric vehicle charging which has previously been submitted to, and approved in writing by, the Local Planning Authority is brought into use. The electric charging points shall be retained and available for use for the life of the development.
- 6) The development hereby approved shall not be occupied unless and until a scheme for bicycle storage/parking which has previously been submitted to, and approved in writing by, the Local Planning Authority is brought into use. The cycle storage/parking shall be retained and available for use for the life of the development.
- 7) The development hereby approved shall not be occupied unless and until a scheme for waste/recycling which has previously been submitted to, and approved in writing by, the Local Planning Authority is brought into use. The approved scheme shall be retained and available for use for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
- 8) The development hereby approved shall not be occupied unless and until a scheme of measures to reduce carbon emissions and to achieve water saving which has previously been submitted to, and approved in writing by, the Local Planning Authority, have been completed. Those measures shall be retained for the life of the development.