



Appeal Decision

Site visit made on 21 May 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/N5090/W/19/3224259

23 Wickliffe Avenue, Finchley, London N3 3EL

- 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 Mohammad Mashayekhi against the decision of the Council of the London Borough of Barnet.
 - The application Ref 18/5772/FUL, dated 26 September 2018, was refused by notice dated 20 November 2018.
 - The development proposed is conversion of a dwelling house into 4 flats.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Following the decision to refuse the application, the appellant has produced a revised drawing which addresses the second reason for refusal as it relates to the vertical stacking of rooms on the various floors of the property. In their appeal statement, in light of this amended drawing, the Council have removed their objections to the second reason for refusal. In deciding whether to accept this plan, I am mindful of the principles of the Wheatcroft case (*Bernard Wheatcroft Ltd. V Secretary of State for the Environment and Another 1982*). However, in this case, I consider that there would be no prejudice to any party by accepting this detail at the appeal stage.
3. I have therefore determined the appeal with all of the above matters in mind.

Main Issue

4. In light of the Council removing their objection to the second reason for refusal, the main issue in the case is the effect of the proposal on the character and appearance of the locality.

Reasons

5. The appeal property is a detached dwelling house, in a predominately residential area which comprises a mix of dwellings of various designs. Most of the dwellings are set back from the highway behind front gardens, although some of these have been converted to hard-standings in order to provide additional off-street parking.
6. In order to facilitate the conversion, a part single/two storey extension would be added to the rear of the property, with modifications to the roof to facilitate dormer windows. The Council have not raised objections to this element of the proposals, and I see no reason to disagree.

7. Policy DM01 of the Adopted Barnet Development Management Policies (2012) (the DMP) states that, amongst other matters, the conversion of dwellings into flats, in roads characterised by houses will not normally be appropriate, nor will the loss of houses in roads characterised by houses. The Council supports this position by explaining that the conversion of dwellings to flats can have a cumulative effect that damages the quality of the environment and detracts from the character of the area.
8. Although there is a six-storey block of flats on the opposite side of Wickliffe Avenue, and an apartment development adjacent the appeal dwelling, the overriding character of the area is for single family dwellings, with appropriate elevations and frontages reflecting that character.
9. Whilst the appeal proposal does not include significant alterations to the existing property, appearance and character are not necessarily the same concepts. The National Planning Policy Framework (the Framework) states that development should be sympathetic to local character, including the surrounding built environment.
10. The character of single-family dwellings is therefore different from that of flats. Flats increase the density of occupation which can, in turn, have an effect on the activity generated by both people and vehicles, as well as the likelihood of requiring additional refuse facilities. The occupiers of four smaller flats may have a different lifestyle, resulting in movements at different times of the day and night in comparison with a single-family dwelling. It follows that the presence of flats, whilst not necessarily changing the appearance of the area, can be detrimental to its character.
11. My attention has been drawn to other properties in the street that have been converted to flats. I have not however been supplied with the full details of these and from the limited information that I have been supplied, it is evident that a large number were given permission under previous policy regimes. The existence of these other flats has already had a harmful effect on the character of the area and their existence does not to my mind justify the proposed development.
12. For the reasons stated, I conclude that the proposal would harm the character of the area. It would, therefore, be contrary to Policies CS1 and CS5 of the Council's Core Strategy (2012), Policy DM01 of the DMP and the Council's Residential Design Guidance Supplementary Planning Document (2016) and Policy 7.4 of the London Plan (2016) which collectively, amongst other matters, seek to ensure that proposals protect and enhance local character and protect the high quality of the Borough's suburbs.

Conclusion

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

Paul Cooper

INSPECTOR