



Appeal Decision

Site visit made on 9 July 2019

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/N5090/W/19/3227084

Falcon House, 86-90 East Barnet Road, Barnet EN4 8RQ

- 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 A Lapourides of Peterford Ltd against the decision of the Council of the London Borough of Barnet
 - The application Ref: 18/5311/FUL dated 29 August 2018, was refused by notice dated 23 October 2018.
 - The development proposed is amalgamation of flats 4 and 5 to form a 3 bed self-contained flat, construction of a third floor to form a 2 bed self-contained flat and construction of a lift shaft and insertion of balustrades on the front and rear elevations of the second floor and on the front, side and rear of the proposed third floor.
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Decision

1. The appeal is dismissed.

Preliminary Issues

2. In their appeal submissions, both the Appellant and the Council referred to and commented on a previous appeal decision at the same site which had been dismissed in April 2019 under the reference APP/N5090/W/18/3213891. I therefore requested and have been provided with a copy of that decision.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing building and of the local area.

Reasons

4. The appeal building, Falcon House, is a three storey building which fronts onto East Barnet Road. The building comprises a retail unit at the ground floor with residential flats above; it was vacant and with works being undertaken at the time of my site visit. The two upper floors are set back from the street frontage. The building is red brick with a very distinctive fenestration pattern whereby the rectangular windows have rounded corners with a brick surround, contrasting in colour with the red brickwork of the main building. Vehicular access to the rear and to the parking area is taken from Margaret Road.
5. The buildings on either side fronting East Barnet Road are smaller in scale, both in terms of plot width as well as height, primarily comprising traditional two storey buildings with pitched roofs, some with dormers at roof level, and retail units at ground floor extended forwards to the street frontage. The

building sits within the Local Centre of East Barnet Village, and is a busy street with commercial uses along both sides of East Barnet Road at ground floor and commercial and residential uses on the upper floors. There is a three storey building turning the corner of East Barnet Road with Margaret Road and some larger developments further to the north west along East Barnet Road and on the opposite side of the road. Turning the corner into Margaret Road there is a mix of smaller scale residential together with larger commercial uses. As a result of its overall scale and distinctive detailing, particularly in relation to the scale of the older traditional buildings on either side, the appeal building is already dominant in the street scene, both in views along East Barnet Road and Margaret Road.

6. The proposal would add a further storey to the building under a flat roof and set in from the extent of the floor below with balconies behind a glass balustrade to the front and the rear. The extension would be in metal cladding. The lift overrun would be completed in similar materials but would be higher than the main roof of the extension. The proposed windows would be of a different style to the existing windows. The colour and detailed finishes of these materials are not specified.
7. Although the use of different materials would not necessarily, taken on their own, be an issue, the overall composition of the additional storey would not relate appropriately to the main building below. The proposed extension would generally be subordinate in scale to the existing building in terms of both footprint and height. However, the arrangement of the roof extension in terms of the staggered heights with the taller lift overrun; the positioning of the windows as well as the projection of the staircase would all appear as disparate elements that would not relate in form and appearance with the existing building. The proposed extension would therefore be read as a discordant and overly heavy addition which in overall terms would sit uncomfortably with the form and appearance of the existing building.
8. I have noted that the previous Inspector found the proposed balustrades under the scheme before him to be a contributory component to the overall harm he concluded. However, it is my understanding that the extent of balustrading at the upper levels has been reduced in the appeal scheme before me. In my view, the extent of balustrading proposed would be a unifying feature across the building and would not be an over dominant feature in relation to the building as proposed. Notwithstanding my findings on the proposed balustrades, this does not outweigh my overall conclusion on the harm to the character and appearance of the existing building as a result of the extension proposals.
9. I agree with the Appellant that there are larger more recent developments interspersed between more traditional buildings along both sides of the road and turning into Margaret Road. However, and particular given its relationship with the buildings on either side, the existing building in terms of its scale, plot width and height and unusual fenestration pattern is already a very dominant building in the local street scene when viewed from both East Barnet Road as well as Margaret Road. The proposal to add an additional floor would result in the building becoming even more visually intrusive and unacceptably over dominant in the street scene, when viewed both from East Barnet Road as well as Margaret Road.

10. I therefore conclude that the proposal would significantly harm the character and appearance of the existing building as well as the local area. This would conflict with Policy DM01 of the Council's Development Management Policies Development Plan Document (September 2012), Policy CS5 of the Local Plan Core Strategy (September 2012), and the Local Plan Supplementary Planning Document Residential Design Guidance (Adopted April 2016) as well as the National Planning Policy Framework with particular reference to Section 12, all of which seek a high quality of design which respects the local context.

Other Considerations

11. The Appellant has set out a number of benefits from the proposal including the provision of a good standard of accommodation for future occupiers with external space provided in the form of balconies. I agree that these would be benefits of the scheme proposals which would accord with national guidance and development plan policies and objectives, but they do not outweigh the significant harm I have already concluded.
12. I have taken into account the concerns raised by a neighbour regarding the impact of the proposal on his living conditions. However, given the orientation of the neighbouring building in relation to the appeal building and the proposed extension, I am satisfied that there would be no impact on issues of light and overshadowing. I also agree with the Council that the sightlines from the proposed balcony areas towards neighbouring properties and more particularly windows in neighbouring properties, and therefore the potential for overlooking and loss of privacy would be minimal, given the siting relationship between the existing and the proposed. The Council also raised no issue in this regard.
13. Whilst each proposal must be considered on its individual planning merits, I have also had regard to the previous appeal decision, already referenced. From the available information before me, and whilst recognising that the two schemes are different, I find nothing in my decision which conflicts with the decision in that earlier appeal.

Conclusion

14. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR