



Appeal Decision

Site visit made on 13 August 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal Ref: APP/N5090/D/19/3230401

Barford, Hadley Green West, Barnet EN5 4PP

- 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 & Mrs Kapadia against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/0615/HSE, dated 1 February 2019, was refused by notice dated 4 April 2019.
 - The development proposed is erection of garage to side of house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area with particular regard to whether it would preserve or enhance the character or appearance of the Monken Hadley Conservation Area (CA).

Reasons

3. The appeal property is located on Hadley Green West. The street is made up of detached properties with mature gardens overlooking Hadley Green. Whilst properties are of various styles, most dwellings follow the same basic linear pattern in the street. The appeal site is triangular in shape and comprises a detached property with a large mature garden and forms the last property in the street. Unlike the other properties where access is taken from the side of the road, the access to the appeal site is formed by a gate which cuts across the road leading directly into the site. The appeal site is located within the Monken Hadley CA that is characterised predominantly by its large green open spaces and residential properties of various sizes and styles. There are also some commercial, religious, institutional, recreational and agricultural land uses within the CA.
4. The proposed garage would be sited at the side of the dwelling, forward of the main building line. The proposal would require the removal of an apple tree.
5. Due to its size and height, the garage would appear overly large in its context. Due to its siting forward of the building line, it would dominate the appearance of the property when viewed from the street-scene, appearing incongruous and harmfully prominent.

6. Moreover, the appearance of the garage would be dominated by the solid, single door. This would be at odds with the character and appearance of the property and the area.
7. The proposed garage would therefore have an unacceptable effect on the character and appearance of the host property and the surrounding area. It would fail to preserve or enhance the character or appearance of the Monken Hadley CA. Thus, it would be contrary to Policies CS1 and CS5 of the Barnet Local Plan (Core Strategy) Development Plan Document (adopted September 2012) and Policies DM01 and DM06 of the Barnet Local Plan (Development Management Policies) Development Plan Document (adopted September 2012). These policies seek to ensure, amongst other things, that development is of a high quality and standard of design and preserves or enhances the character and appearance of the historic suburban environment, including CAs.
8. Policy CS NPPF of the Barnet Local Plan (Core Strategy) Development Plan Document (adopted September 2012) is referred to in the reason for refusal. This Policy sets out the Council's approach to determining planning applications with regard to the National Planning Policy Framework (the Framework) and the presumption in favour of sustainable development. I do not find that the scheme itself will be directly contrary to this policy.

Other Matters

9. The appellants have referred to the garage at Northways, another property on Hadley Green West. I have not been provided with full details or the planning background for this other development. In any event, I consider that the design and siting are markedly different from the appeal proposal. I have also considered the appeal proposal on its own merits.
10. The appellants have referred to a number of policy documents to which they consider the scheme to be in accordance with, most notably the Framework and the Residential Design Guidance Supplementary Planning Document (2016). These policies were not cited in the reason for refusal and are not central to the main issue. The compliance (or otherwise) of the proposal to the policies that are mentioned by the appellants does not override the clear identified harm.

Planning Balance and Conclusion

11. Having regard to paragraph 196 of the Framework, I find that the harm to the CA is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the Conservation Area. I do not, however, find that this harm is outweighed by any public benefits of the proposal.
12. For the reasons set out above I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR