
Appeal Decision

Site visit made on 14 January 2020

by E Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2020

Appeal Ref: APP/N5090/D/19/3243191

55 Barnet Lane, Underhill, Barnet, London EN5 2DW

- 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 Miss Naomi Gyane against the decision of The London Borough of Barnet.
 - The application Ref 19/3694/HSE, dated 2 July 2019, was refused by notice dated 13 September 2019.
 - The development proposed is a New vehicular access and hardstanding to provide off street parking. Erection of new front and side boundary walls and associated railings.
-

Decision

1. The appeal is dismissed.

Preliminary Issues

2. At the time of my site visit a wall along the side boundaries and across the left-hand part of the frontage of the property had been erected and the front garden paved with a hard standing although no street crossover had been formed. The walls erected however do not match those on the submitted plans in either dimensions or design being stepped to follow the gradient of the ground and I have therefore considered the scheme as shown on the submitted plans.
3. I have taken the description of the proposed development from the Council's decision notice. While it differs from that given on the application forms, I consider it more concisely describes the proposal.

Main Issue

4. Neither the Council nor any other party seems to have any objection to the hardstanding per se, nor have any objections been raised to the formation of the vehicular access.
5. I therefore consider the main issue in this case is the effect of the proposed boundary treatment on the character and appearance of the street scene in Barnet Lane and surrounding area.

Reasons

6. From my observation at my site visit there is no clear, strongly defined character on the frontages of the properties on this section of Barnet Lane. The

properties have a mixed appearance with different types of enclosure ranging from close boarded fencing, hedging or in one case brick wall with railing infill. Other properties are open to the street with no vertical feature delineating the street boundary as they have been converted to hardstanding or have garden running to the pavement. This creates a degree of informality but also means the front gardens are viewable together without strong delineation between properties.

7. The site is elevated above the line of the footway and from the evidence before me was accessed by a pedestrian path via a couple of steps. According to the submitted plans the wall and railings would be sited at the higher level above the height of the adjacent pavement, giving the appearance of a more elevated wall with railings increasing its prominence both from the street immediately outside the site but from further along Barnet Lane.
8. The length of the wall and railings and the strong linear appearance that this would introduce in this elevated position, both across the back of the footway and down both sides of the garden, would create a prominent feature which would be incongruous in this location adversely affecting the current informal character and dominate the frontage thereby harming the street scene.
9. On this basis I do not consider the proposed development would accord with the principles of Policy CS5 of the Barnet Local Plan Core Strategy (2012) which seeks to ensure development respects the local context or Policy DM01 of the Barnet Local Plan Development Management Policies (2012), in that it would introduce a scheme which due to the scale, height and elevated position of the walls and railings both at the back edge of the pavement and down the sides of the front garden would result in an incongruous and dominant feature which would have an unacceptable impact on the street and the area as a consequence.

Other matters

10. The appellant refers to the fallback position that would apply through permitted development rights under Part 2 Class A of the General Permitted Development Order. These only apply where the proposed scheme is less than 1 metre above ground level, which is not the case here and therefore has no bearing on the case before me.

Conclusions

11. For the reasons given above the appeal is dismissed.

Edwin Maund

INSPECTOR