



Appeal Decision

Site visit made on 26 May 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2020

Appeal Ref: APP/N5090/W/20/3246550

1 Langham Gardens, Edgware HA8 9EG

- 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 Rafal Zienkiewicz against the decision of the London Borough of Barnet Council.
 - The application Ref 19/5290/HSE, dated 8 September 2019, was refused by notice dated 25 November 2019.
 - The development proposed is the installation of front gate.
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Decision

1. The appeal is allowed and planning permission is granted for the installation of front gate at 1 Langham Gardens, Edgware, HA8 9EG in accordance with the terms of application Ref 19/5290/HSE, dated 8 September 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan and Drawing No. 19028 SK G01.
 - 3) The proposed gates and associated posts shall be constructed in metal and finished with black powder-coating (as detailed on approved drawing 'Existing and Proposed Elevations' 19028 SK G01 dated 02/10/19) and shall be permanently maintained as such.

Procedural Matter

2. The description of development used in the header above is based on that used on the Council's decision notice and it is not disputed by the appellant.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the Watling Estate Conservation Area.
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Reasons for the Recommendation

5. The appeal site comprises a two-storey end-of-terrace dwelling located at the end of Langham Gardens which is a cul-de-sac within the Watling Estate Conservation Area (the 'Conservation Area'). High boundary hedging encloses the front paved area of the property. Langham Gardens leads to a pedestrian path known as Hook Walk which passes by the eastern side of the appeal site.
6. The Conservation Area covers a large residential area to the east of Burnt Oak underground station, and its significance lies in part in the distinctive layout and appearance of the buildings within it. Indeed, the area is reflective of the Garden City movement characterised by wide green verges, open spaces, semi-detached housing or small blocks of symmetrical short terraces set back from one another that incorporate Arts & Crafts design elements.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (NPPF). At paragraph 192, it sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
8. The proposal would result in the erection of 1.9m high, black powder-coated metal gates and associated posts enclosing the access to the driveway from Langham Gardens. I recognise the Conservation Area Character Appraisal Statement refers to housing being set-back from the road behind low brick walls or soft landscaping such as hedging. Nonetheless, whilst the Council considers the proposed development would constitute an inappropriate boundary treatment which would fail to tie-in with the open character of the street scene, I find it would appear as an innocuous addition. Although modern in appearance, the gates would tie in well with the newly rendered host property and would be set in-between the existing tall hedging. The proposed gates would feature prominently when viewed from Hook Walk to the north east however, they would not appear distasteful nor would they undermine the open and sylvan character of the area owing to their modest size and the retention of the hedges.
9. I note the reference to the existing gates and fences at 9 Langham Gardens. The Council emphasised these were constructed without express consent and undermine the special character of the Conservation Area. However, they, along with other similar boundary treatments visible within the wider Conservation Area, do contribute to the character and appearance of the Conservation Area. Therefore, the proposed development would not appear incongruous.
10. Given the above, I conclude the proposal would preserve the character and appearance of the Watling Estate Conservation Area. It would therefore not conflict with Policy DM01 of Barnet's Development Management Policies Local Plan (the 'local plan') or Policy 7.4 of the London Plan which together seek to ensure proposals are well designed and contribute positively to the character and appearance of the surrounding area in which they lie. It would also adhere to the Residential Design Guidance Supplementary Planning Document and would not conflict with Policy DM06 of the local plan, policy 7.8 of the London

Plan, the Watling Estate Conservation Area Character Appraisal Statement Document, and guidance in the NPPF which together seek to ensure heritage assets are preserved and enhanced.

Conditions

11. I have considered the suggested conditions against the advice in the NPPF and the Planning Practice Guidance. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty.
12. I have also added a condition recommended by the Council which requires the proposed gates and associated posts to be constructed in metal and finished with black powder-coating in order to preserve the character and appearance of the area.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR