



Appeal Decision

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2020

Appeal Ref: APP/N5090/W/20/3246906

75 Friern Barnet Road, Friern Barnet, London N11 3EH

- 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 U Guven against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/6153/RCU, dated 11 November 2019, was refused by notice dated 14 January 2020.
 - The development proposed is single storey front extension with installation of new shutters.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to be more accurate and I have therefore used it within this decision.
3. In response to travel restrictions in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available, supplemented by Google Street View and Google Earth. The Council has provided further photographs of the appeal site and the appellant has had the opportunity to comment on these. The appellant and the Council have agreed to the appeal proceeding on that basis.
4. My attention has been drawn to an enforcement action and Court decision in relation to an extension to the front of the shop. However, I have determined this appeal on its individual planning merits.
5. From the evidence before me, the proposal would appear to have commenced and is largely complete. I have proceeded to determine this appeal on that basis.

Main Issue

6. The main issue in this appeal is the effect of the proposal on the character and appearance of the host building and the streetscape.

Reasons

7. The appeal proposal is located to the front of a substantial building which contains a shop on the ground floor. The host building is set back from the footpath as are nearby properties in this extent of the streetscape. The proposal is a prominent feature which takes up almost all of the external forecourt to the front of the building.
8. The obviously modern design contrasts uncomfortably with the more traditional and attractive appearance of the host building. The proposal appears as an incongruous box-like feature projecting forward of the main façade. The green finish adds to this unfortunate appearance. When the shutters are down this will add dead frontage to the site and increase the apparent bulk of the extension, further detracting from the open character of the forecourt and neighbouring properties.
9. There are properties further along the streetscape which are built up to the edge of the footpath. However, these are some distance from the appeal site and do not establish a prevailing context for the proposal. In any event, these properties do not justify the incongruous design of the appeal scheme in respect of the host building.
10. I am mindful that the proposal may support the retail use of the site and that the appellant contends that enclosing the forecourt is commonplace. But there is no evidence that this use is reliant on an extension of the scale and design proposed. In any event the benefits to this retail use will not outweigh the significant harm arising from the inappropriate design and location of the proposal. Whilst the proposal will only be located at ground floor level, due to its projection to the front and unsuitable design I consider that it will appear as a dominant feature on the front elevation. The glazing would not mitigate this harm and indeed will sometimes be covered by the security shutters.
11. I conclude that due to its design and location, the proposal will be harmful to the character and appearance of the host building and the streetscape. The proposal will therefore be contrary to the design requirements of Policies DM01 of the Council's Development Management Policies (2012) and CS1 and CS5 of the Core Strategy (2012). The proposal will also conflict with the National Planning Policy Framework in respect of achieving well-designed places.
12. The Council's decision refers to the Residential Design Guidance Supplementary Planning Document (2016). However, I find no conflict with the advice of this document as the proposal relates to a retail use rather than the design and development of new housing. That said, this does not lead me to a different conclusion in respect of the harm to character and appearance.
13. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR