
Appeal Decision

Site visit made on 8 October 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/N5090/W/20/3252345
50 Fairfield Crescent, Edgware HA8 9AH

- 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 Reverend Simon Rea against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/6357/FUL, dated 27 November 2019, was refused by notice dated 27 February 2020.
 - The development proposed is conversion of the existing dwelling into 2no. self-contained flats including single rear extension. Changes to fenestration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For the sake of clarity and brevity I have used the description of development from the Council's decision notice.

Main Issues

3. The main issues are the effect of the proposal on the character of the surrounding area and whether the proposed flat 1 would provide satisfactory living conditions for its future occupiers.

Reasons

Character

4. The surrounding area is characterised predominantly by residential properties. The properties in the area are mainly semi-detached of traditional design and architectural detailing. It is this uniformed built pattern which contributes positively to the character of the area.
5. The proposed entrance to the flat 1 would not be visible from the front street scene. This entrance would require future occupants of the flat to enter and egress the property down the side of the building in an odd manner which is not in keeping with other properties in the area.
6. The proposed flat 1 can accommodate up to three persons and the daily comings and goings from the property would be significantly noticeable and obvious that a separate residential unit is being accessed from the side of the building.

7. The appearance of the front of the building would not be altered with parking spaces and the front entrance retained for access to flat 2. However, the positioning of the flat 1 entrance would be unusual and create excessive footfall to the side of the building that would detract from the character of the locality.
8. The proposal would have a harmful effect on the character of the area. The proposal would be in conflict with Policy DM01 of the Barnet's Local Plan Development Management Policies 2012 (BLPDMP) which seeks development to preserve or enhance local character.
9. The appellant considers section 9.8 of the Council's Supplementary Planning Document: Residential Design Guidance 2016 only refers to physical changes. This matter however does not alter my findings above.

Living conditions

10. Policy 3.5 of the London Plan (LP) states that housing accommodation should be of the highest quality internally with the relative size of all new homes being a key element. The Nationally Described Space Standards (NDSS) has therefore been adopted which sets out minimum space standards for dwellings of different sizes.
11. The NDSS indicates that single bedrooms should be no smaller than 7.5 square metres. The floor space of bedroom 2 of flat 1 is significantly below the minimum standard being at a measurement described as 7.03 square metres. I consider that the proposed development would create a cramped environment in bedroom 2 of flat 1 and would not provide sufficient space to satisfactorily meet the day to day needs of its occupant. Accordingly, I find that the proposal would provide unsatisfactory living conditions for future occupiers of this flat.
12. I note that the overall size of flat 1 would meet the requirement set out in the NDSS for minimum gross internal floor areas, as well as exceeding the requirement for external amenity space. Nevertheless, this would not overcome the small constricted space of bedroom 2 which would have a harmful effect on the occupants living conditions.
13. The proposal for flat 1 would be harmful on the living conditions of future occupiers. The proposal would fail to comply with Policy 3.5 of the LP, Policies DM01 and DM02 of the BLPDMP and Policies CS NPPF, CS1 and CS5 of the Barnet's Local Plan Core Strategy 2012 which seeks high standard of urban design and protect amenity.
14. I note that concerns are raised with regards to the position of the ground floor bathroom. The appellant considers that insulation could be introduced to reduce the effects on rooms above, which I agree is a suitable method that could be covered by planning condition. This matter however does outweigh the harm identified above.

Other matters

15. The proposal would be an efficient use of the land and deliver residential accommodation that would contribute to local housing supply in an area accessible to local services. The proposal would not have an adverse effect on the living condition of neighbouring occupiers and would retain two off street car parking spaces, without compromising highway safety. These matters and

benefits however, would not outweigh the harm I have identified in the main issues.

Conclusions

16. For the reasons given above I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR