
Appeal Decision

Site visit made on 23 September 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/N5090/W/20/3245224
13 Ridge Hill, London NW11 8PN

- 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 Antony Lee against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/5052/RCU, dated 9 September 2019, was refused by notice dated 15 January 2020.
 - The development proposed is use as 2 flats with minor changes to existing layout and garden.
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Decision

1. The appeal is allowed and planning permission is granted for use as 2 flats with minor changes to the existing layout and garden at 13 Ridge Hill, London NW11 8PN in accordance with the terms of the application, Ref 19/5052/RCU, dated 9 September 2019, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Council claim that the development has already taken place and planning permission is sought for its retention. The application form also refers to an existing use as two flats. However, at my site visit, the property was in use as a single dwelling. Alterations had been made to extend an inside wall towards the porch, but the doors shown to both sides of the wall on the plans were not present thereby enabling occupiers to have full use of all parts of the building.

Main Issue

3. The main issue is the effect of the proposal on the character of the area.

Reasons

4. The proposal relates to a semi-detached two storey dwellinghouse that has been extended by alterations to the roof involving a hip to gable roof form, a rear dormer and a part single part two storey rear extension. Ridge Hill comprises many semi-detached houses of similar size.
5. Policy DM01(h) of Barnet's Development Management Policies (2012) states, "*Conversion of dwellings into flats in roads characterised by houses will not normally be appropriate*". Supporting paragraph 2.8.1 states "*the conversion of existing dwellings into flats can have a cumulative effect that is damaging to the quality of the environment and detracts from the character of established residential areas*".

6. Further supporting guidance is provided by the Residential Design Guidance SPD (2016). The SPD notes that harm may arise through more noise and disturbance, an intensification of use involving more people movements, increased car movements, more rubbish to be collected and more deliveries. But conversions in appropriate locations should not have any detrimental effect in relation to privacy issues, parking problems or on residential amenity.
7. Most dwellings in Ridge Hill are in single family occupation, but a few have been converted to flats. The Council confirms that nos. 3, 5, 7 and 9 Ridge Hill are in use as flats. These properties are near to the site. Whilst repeated conversions in other parts of the road with a more established sole character of single family occupancy could have a cumulative effect on the character of the wider area, the proposal would be in keeping with its immediate context.
8. There would be no perceptible difference in the visual appearance of the property. The separate front doors to the flats would be behind the porch. The two parking spaces required by the Council's policies already exist on the frontage. The proposal should not add to on street parking pressures. Provision for the storage of cycles could be made in the back garden.
9. In relation to activity levels, this is a large dwelling capable of being occupied by a large family. It is not certain that its use as two flats would result in more people occupying the building or that different patterns of activity would occur to materially impact on either the living conditions of neighbours or on the character of the area. Moreover, the road is wide, characterised by large front gardens and the dwellings are reasonably spaced, factors which would help to mitigate any noise or disturbance issues arising from different activity patterns.
10. In respect to the representations submitted, the proposal would not necessarily set a precedent for the subdivision of houses elsewhere in Ridge Hill or nearby roads. The cluster of conversions near the site is part of the local character and each proposal needs to be considered on its individual merits.

Conclusion

11. The proposal would have the benefit of providing an additional housing unit and would not be out of keeping with the character of the immediate area of Ridge Hill. Policy DM01 does not normally support conversions in such roads, but the proposal would not be likely to result in any of the adverse effects cited by the SPD in relation to conversions given the size of the existing house and the spacious nature and character of its context.
12. The appeal should therefore be allowed subject to conditions limiting the lifespan of the permission, listing the approved plan numbers for certainty and requiring implementation of approved details relating to cycle parking, refuse storage arrangements and the sub-division of the back garden to ensure the efficient operation of the site as two flats. A condition is necessary to restrict subsequent changes of the use of the premises to ensure that the use respects the character of the area. The Council's suggested condition on parking is not necessary as space for two cars already exists. The suggested condition on sound insulation would be covered by the Building Regulations.

Rory MacLeod

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not 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 location plan, PP/299/01 Rev B, PP/299/02 Rev B, PP/299/03 Rev B, PP/299/04 Rev B, PP/299/05 Rev C, PP/299/06 Rev C and PP/299/07 Rev C.
- 3) Neither flat shall be occupied until spaces have been laid out within the site in accordance with a plan that shall be submitted to and approved in writing by the local planning authority showing details of bicycles to be parked and those spaces shall thereafter be kept available for the parking of bicycles.
- 4) Neither flat shall be occupied until details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection, shall have been submitted to and approved in writing by the local planning authority and those spaces shall be retained as such thereafter.
- 5) Neither flat shall be occupied until the back garden has been sub-divided in accordance with a plan that shall have been submitted to and approved in writing by the local planning authority. The garden shall be retained in this form for as long as the development remains in existence.
- 6) The property shall be used as self-contained units as shown in the approved drawings under Class C3(a) and for no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).