The Planning Inspectorate

Appeal Decision

Site visit made on 16 October 2020

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2020

Appeal Ref: APP/N5090/W/20/3251185
128 High Street, Barnet EN5 5XQ

- 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 WD Properties (UK) Ltd & J/P Shea against the decision of the Council of the London Borough of Barnet.
- The application Ref 19/5455/FUL, dated 20 September 2019, was refused by notice dated 5 December 2019.
- The development proposed is the formation of a new part third floor to form a new 2 bed flat.

Decision

1. The appeal is dismissed.

Procedural matter

2. This appeal was lodged before the introduction of Schedule 2 Part 20 Class AB of the Town and Country (General Permitted Development)(England) Order 2015 (as amended) which allows in some cases for the construction of new flats on top of terraced buildings in mixed commercial and residential use - subject to limitations and a prior approval process. I have not been informed of any such prior approval so have not given this matter any significant weight as a potential fall-back position.

Main issues

3. The main issue is the effect of the proposal on the character and appearance of the building and the local area.

Reasons

4. No 128 is a 3 storey mid-terrace property fronting onto the main shopping street in Barnet Town Centre, with a café on the ground floor and flats above. A second floor extension to form a new flat has recently been built with planning permission granted by the Council, following on from the dismissal of a previous appeal for new flats at second and third floor level[1]. The proposal in the current appeal is to add a third floor flat which would be similar to that in the previous appeal, but with an amended roof design.

[1] APP/N5090/W/16/3160541

5. The High Street is characterised by a wide variety of building styles and roof forms, including some variations in height. As stated by the previous Inspector, this diversity provides an attractive ambience to the retail area.

6. The proposal would be taller than nearby buildings, but would be set back from the frontage and screened in views from just opposite the site and from the southern approach along High Street. It would, nevertheless, be clearly seen in views from the north on High Street and likely also from the side street to the west. It would furthermore be seen from the flats and the street at the back (Tapster Street). In all these views the proposed extension would stand out as an unsympathetically designed, box-like structure sitting well above neighbouring roofs where it would become a somewhat dominant feature on the skyline. The inclusion of a part sloping roof at the edges of the mainly flat roofed structure would not satisfactorily blend the extension into the roofscape.

7. The variety of buildings and roofs in this part of the High Street creates a capacity to absorb some change without causing harm. This proposal would, however, be visually intrusive and incongruous due to its elevated, prominent position and design.

8. I note reference to a 3 to 4 storey development with stepped rooflines approved for a nearby site in the town centre. That redevelopment would be, however, much different in character and context so is not directly comparable.

9. I conclude that the proposal would unacceptably harm the character and appearance of the building and the local area. It therefore conflicts with the aims of Barnet's Local Plan Core Strategy Development Plan Document Policies CS1 and CS5, Barnet's Local Plan Development Management Policies Development Plan Document Policy DM01 and the Council's Supplementary Planning Document *Residential Design Guidance*, to secure high quality design based on an understanding of local characteristics and respecting local distinctiveness. Although the provision of a new flat would, to a minor extent, be socially and economically beneficial, this is overridden in this case by the environmental harm that would be caused, as identified above. It therefore would not represent sustainable development as outlined in the National Planning Policy Framework.

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR