

Appeal Decision

Site Visit made on 16 December 2020

by S J Lee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/N5090/D/20/3261693
8 Abbey View, London NW7 4PB

- 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 & Mrs M Humes against the decision of London Borough of Barnet.
 - The application Ref 20/3310/HSE, dated 21 July 2020, was refused by notice dated 15 September 2020.
 - The development proposed is erection of front boundary wall.
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Decision

1. The appeal is allowed and planning permission is granted for erection of front boundary wall at 8 Abbey View, London NW7 4PB in accordance with the terms of the application, Ref 20/3310/HSE, dated 21 July 2020, subject to the following 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: 460320-1 Rev A; 460320-2; 460320-4.
 - 3) The materials to be used in the construction of the boundary walls hereby permitted shall match those used in the existing dwelling.

Main Issue

1. The main issue is the effect of the development on the character and appearance of the area.

Reasons

2. The appeal relates to a large detached dwelling located near the end of a residential cul-de-sac. There are a variety of boundary treatments on display on the street. However, in the main most vehicular accesses remain open, with only one dwelling at No 12 having gates and a completely enclosed forecourt. In this regard, the development would differ in appearance to the majority of nearby frontages, including those in the immediate vicinity.
3. Nevertheless, in this case, a difference in appearance would not rise to the level of being harmful. There is no particular consistency of design or appearance on the cul-de-sac, either in terms of the architectural styles of the dwellings or the nature of their boundary treatments. Existing boundaries include low walls with hedges above, railings between brick plinths, soft

landscaping, some with planters of differing designs and some with completely open frontages. Although the proposal would not mimic any existing treatment exactly, the development would nevertheless share some of the characteristics of what is already in place.

4. The examples of railings are found at the top of the cul-de-sac, and thus a number of dwellings distant from the site. Nonetheless, they form part of the established character of the street. In this regard, neither the use of railings, nor the introduction of a gate, would appear out-of-character or unsympathetic to the area.
5. At 1.5 metres in height from the pavement, the boundary would not be excessively tall. The visual impact of this would also be softened by the nature of the railings, which would ensure they would not appear as a bulky or solid barrier. Similarly, the use of soft landscaping with the walled elements would help to break up the mass of the feature and reduce the overall visual impact. This would also complement other examples of soft landscaping in the cul-de-sac. The height and appearance of the development would also not be inappropriate in relation to the scale or character of the dwelling itself.
6. In addition, the extent of any visual impact would be extremely localised. The site is at the end of the cul-de-sac and would not be prominent when viewed from the junction with Marsh Lane and any passing traffic. It would mainly be seen from the private views of neighbours to whom it would not appear as either an unduly intrusive or incongruous feature.
7. I therefore find that the development would not result in unacceptable harm to the character and appearance of the area. Accordingly, there would be no conflict with policies 7.4 and 7.6 of the London Plan (2016), Policy CS5 of the Barnet Core Strategy (2012), Policy DM01 of the Barnet Development Management Policies document (2012) or the guidance in the Design Guidance Note No 9 Walls, Fences and Gates (1994). Amongst other things, these seek to ensure that development preserves or enhances local character.

Conditions

8. In addition to the standard condition which limits the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition requiring any brickwork to match that of the main dwelling. To this end, I have made a slight amendment to the Council's suggested condition in the interests of certainty and clarity.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

INSPECTOR