



Appeal Decision

Site Visit made on 6 January 2021

by Rory MacLeod BA(Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2021

Appeal Ref: APP/N5090/W/20/3245802

Rear of 172 Long Lane, Finchley, London, N3 2RA

- 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 Azienda Properties Ltd against the decision of London Borough of Barnet.
 - The application Ref 19/5706/FUL, dated 18 October 2019, was refused by notice dated 20 December 2019.
 - The development proposed is construction of a four storey building with lower ground floor level comprising of a B1(a) office use and 4no self-contained flats above, with associated amenity space, refuse/recycling store and cycle storage area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The demolition of former buildings on the site occurred after submission of the planning application. The description of the proposal above therefore does not refer to demolition but is otherwise taken from the appeal form.
3. Since the refusal of the application, the appellant has updated parking stress information by reference to a survey report relating to a nearby site. This was submitted in support of a subsequent application for development at the appeal site which the Council has now approved (ref. 20/2152). It addresses concerns in the Council's 4th refusal reason citing insufficient information in relation to the impact on on-street parking and the local highway network.

Main Issues

4. The main issues therefore are (a) the effect of the proposal's size, siting and design on the character and appearance of the area, (b) the impact on living conditions of occupiers at 183 Squires Lane and (c) the adequacy of outlook from the master bedroom to the ground floor unit.

Reasons

Character and appearance

5. The appeal relates to a vacant plot between 181 Squires Lane, a three storey building on the corner with Long Lane, and 183 Squires Lane, an end of terrace two storey house. Land levels fall to the rear. The surrounding area is mainly residential in character comprising predominantly two storey terraced houses. There is an extant permission for a building with a flat roof rising three floors above street level (ref. 17/4327/FUL). The proposal includes an additional floor set within a mansard roof.

6. Whilst the height of the mansard roof would be comparable to that of the roof ridge to the corner building, its steeply angled pitched roof form would contrast with the profile of the corner building's shallow hipped roof. In street views from the north-east, the mass of the corner building would partially screen the proposed building, but in views from the south-west along Squires Lane the height and mass of the mansard roof would be a conspicuous and incongruous feature. Its bulky form would be out of keeping with the pitched ridged roofs to neighbouring buildings. The drop in eaves level from the corner building would be negligible and would not help to assimilate the prominence of the front face to the mansard roof with its two front dormer windows. The setting in of the building from the boundary with 183 Squires Lane would do little to soften the stark impact of the proposal's height and mass on the street scene. The proposal would result in an unsympathetic and abrupt transition to the two storey form of adjacent terraced houses.
7. It would thereby be contrary to Policy CS5 of Barnet's Core Strategy (2012) and Policy DM01 of the Development Management Policies (2012) (DMP), which require new development to be based on an understanding of local characteristics and to respect local context. There would also be conflict with Policy 7.4 of the London Plan and the Residential Design Guidance SPD (2016) (RDG) in relation to these aspirations.

Living conditions

8. Compared with the extant permission the proposal would result in a three storey rear projection, about 3.2 metres in depth, with balconies to all floors facing towards and sited only about 1.5 metres from the boundary to 183 Squires Lane. Its height, mass and proximity would have an overbearing impact on the modest back garden to no.183 and would also result in some loss of natural light in early morning hours due to its easterly siting.
9. The orientation of the balconies would result in a significant degree of overlooking of the back garden and rear facing windows to no.183. Climbing plants indicated for the balconies would be unlikely to be an effective mitigation of impacts; gaps between plants would benefit outlook and the amenity value of the balconies but resultant overlooking would mean a loss of privacy for adjoining occupiers. A planning condition requiring approval of an obscured glazed screen may be able to reduce overlooking to a degree but would not overcome other neighbour impacts arising from the proposal's mass.
10. The proposal would be contrary to Policy DM01, the RDG and with the Sustainable Design and Construction SPD (2016) (SDC) which require proposals to be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and for development to not have an overbearing impact.

Outlook

11. The master bedroom to the ground floor unit would abut the public footway. Obscured glazing to 50% of the windows, to safeguard privacy, would still enable adequate outlook through the clear glazing to the upper parts of the two large front bedroom windows. There would not be conflict with DMP Policies DM01 and DM02 or with the SDC in relation to provision of a reasonable outlook for future occupiers.

Conclusion

12. The proposal's benefit in provision of an additional dwelling compared with the extant permission would not outweigh the significant harm that would arise in relation to the character and appearance of the area and for the living conditions of occupiers of 183 Squires Lane. For the reasons given I conclude that the appeal should be dismissed.

Rory MacLeod BA(Hons), MRTPI

INSPECTOR

