The Planning Inspectorate

Appeal Decision

Site visit made on 16 April 2021

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 May 2021

Appeal Ref: APP/N5090/W/20/3259718
43 Woodside Park Road, London, N12 8RU

- 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 Ms Jane Jason and Ms Charlotte Sterling against the decision of the Council of the London Borough of Barnet.
- The application Ref 20/1720/FUL, dated 14 May 2020, was refused by notice dated 19 June 2020.
- The development proposed is the reconfiguration of existing flats and provision of an extension to provide a 3-bed dwelling up to 2.5 storeys.

Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling, the semi-detached pair and the street scene of Woodside Park Road; and secondly, the effect of the proposed alterations on the living conditions of occupiers of the upper floor flats with respect to access to private amenity space.

Reasons

3. Woodside Park Road is a residential street linking the busy commercial and retail High Road with Woodside Park station. At the eastern end the land is fairly level and the street is characterised by large traditional terraced and semi-detached dwellings which display strong uniformity. The southern side of the street is dominated by, in the words of the Finchley Society, "a remarkably intact set of large Edwardian semi-detached houses". These dwellings are set over three floors, including a mansard roof and front facing dormer. The pairs exhibit symmetry and significant architectural detailing with ornate porches and ground floor bays together with nicely proportioned and detailed fenestration. The most westerly two pairs, of which the appeal dwelling is the last, are particularly well preserved. Although the appeal site is not within a conservation area and is not listed, it and its neighbours are clearly a group of buildings of considerable merit.

4. The proposed extension would be almost flush with the façade of the host dwelling and would infill the gap between the side elevation and a public footpath known as Church Path. Whilst it is described as an extension it would have the appearance of an attached dwelling, with its own front door. Although 2.5 storeys high with a mansard roof and front facing dormer it would be of noticeably different proportions to the host dwelling. This would be exacerbated by the wider, shorter windows. The side elevation of the extension would obscure the existing side elevation of the dwelling which displays external chimneys and several windows. The interest and detailing would therefore be lost and replaced by a high, blank side wall and roof that would loom over Church Path.

5. Moreover, it would appear squeezed into the available space. Overall, it would be an incongruous, unsympathetic addition that appeared cramped on the plot, notwithstanding the presence of Church Path. The position of the extension, directly opposite the open vehicular access and clearly visible from the west, across the open frontage of Cholmeley Court and Church Path, would make it particularly conspicuous in the street scene. In consequence, it would not only harm the character and appearance of the host dwelling but would unbalance the semi-detached pair and detract from the uniform set of dwellings and the street scene.

6. The appellants suggest that the proposed extension would complement the character of the host dwelling in terms of scale, would be subservient and have a sympathetic roof profile. In addition, it would be constructed using materials to reflect those used in the existing dwelling. This, they suggest, would ensure it harmonised with the host dwelling, integrated into the wider area and was sympathetic to local character. However, its smaller size, matching materials and the similar roof profile, would be insufficient to prevent the identified harm.

7. The appellant's also draw my attention to other dwellings in the local area and suggest that semi-detached pairs are not a prominent feature. In addition they provide examples of non-symmetrical semi-detached pairs. However, the street scene of this part of Woodside Park Road is characterised by symmetrical semi-detached pairs similar to the appeal dwelling. Moreover, the other examples in other streets are of dwellings which are not comparable with the appeal dwelling and its attached neighbour. These matters therefore carry little weight in favour of the proposed extension.

8. It is concluded on the first main issue that the proposed extension would have a materially harmful effect on the character and appearance of the host dwelling, the semi-detached pair and the street scene of Woodside Park Road. In consequence, it would conflict with Policy DM01 of Barnet's Local Plan, Development Management Policies (DMP), 2012 which expects all development to represent high quality design which is based on an understanding of local characteristics, such that it preserves or enhances local character, respects the appearance, scale, mass and pattern of buildings, spaces and streets and provides attractive development that avoids blank walls. It would also conflict with the National Planning Policy Framework (NPPF) which expects developments, amongst other things, to be visually attractive as a result of good architecture and layout and sympathetic to local character and history.

9. Turning to the second main issue, the proposed development includes the reconfiguration of the existing dwelling which is currently divided into two flats. The new layout would create three flats, one on each floor. The Council raises no objection in principle to this internal reconfiguration and I agree it would be acceptable.

10. The ground floor flat and the proposed new dwelling would each have a private garden area immediately behind the building. The upper floor flats would share a large communal garden further to the rear. At present this rear garden area is accessible via the paved area to the side of the dwelling. However, this route would be blocked by the proposed dwelling meaning that to gain access, occupiers of the upper flats would need to leave the property via the entrance from Woodside Park Road and walk some distance down Church Path to a proposed gate in the side boundary that would provide access to the garden.

11. The garden would not therefore be readily accessible from the flats and the distance, coupled with the route across public land and along a footpath with limited lighting, set between high fences and not well overlooked due to its position and the presence of trees, would make the route unattractive and potentially intimidating during quieter times of day or in the evening. This would be likely to discourage occupiers of the flats from using the garden. Therefore, notwithstanding the size of the proposed communal garden, it would not function well and would materially harm the living conditions of existing and future occupiers by reason of its poor access to private amenity space.

12. The appellants suggest that a front garden would be retained but this is currently paved and given over to parking, along with a paved area to the side of the dwelling. The available parking area would be significantly reduced as a result of the proposed dwelling extension, reducing some four spaces to two. Refuse bin and cycle storage is also proposed in the front garden. In consequence there would be no available space for a garden within this area which would, in any case, not be private.

13. It is concluded on the second main issue that the proposed alterations, due to the blocking of the side access to the gardens, would have a materially detrimental effect on the living conditions of existing and future occupiers of the upper floor flats with respect to access to functional private amenity space. In consequence the proposed development would conflict with DMP Policies DM01 and DM02, the NPPF and with the Council's Residential Design Guide, Supplementary Planning Document which, taken together, expect development proposals to create safe and secure environments with a high standard of amenity for existing and future users and in particular make provision for outside amenity space which is functional, accessible and useable.

14. The appellants point out that the proposed development would provide a three bedroomed house for which there is local demand and an additional flat. This, they suggest, would make efficient use of land and provide a good quality of accommodation. That may be the case. However, these matters would not alter or outweigh the harm to the character and appearance of the area or the living conditions of occupiers.

15. Third parties suggest that parking provision within the site would be inadequate. The Council, mistakenly, states that there is currently no off-street

parking. In fact, there is a dropped kerb and hardstanding for some four cars serving two dwellings. This provision would be reduced to two spaces which would serve four dwellings. Although the site is located in an area well served by public transport and within walking distance of shops and amenities, street parking is clearly at a premium and therefore this matter adds to my concern that the proposals would amount to an overdevelopment of the site.

16. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

K E Down
INSPECTOR