The Planning Inspectorate

Appeal Decision

Site Visit made on 2 July 2021

by Scott Britnell MSc FdA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/N5090/D/21/3268887
1 Gilbert Grove, Edgware HA8 0HJ

- 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 Mrs & Mrs Kashi Raj Bohara against the decision of the Barnet London Borough Council.
- The application Ref 20/4478/HSE, dated 18 September 2020, was refused by notice dated 23 November 2020.
- The development proposed is first floor side extension and internal alteration.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the submission of the appeal, the Government published the National Planning Policy Framework 2021 (the Framework). I sought comments from the main parties with regards to this matter and where responses have been received I have taken these into account in determining the appeal.

3. Both main parties refer to the Watling Conservation Area. However, the Conservation Area Map and Conservation Area Character Appraisal Statement refer to the Watling Estate Conservation Area, which is how I shall refer to it in my decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host terrace and the Watling Estate Conservation Area.

Reasons

5. The appeal site is located in the Watling Estate Conservation Area (CA). The Watling Estate Conservation Area Character Appraisal Statement Adopted July 2007 (CACAS) indicates that the significance of the CA derives, in part, from its distinctive layout, form, scale and building designs as well, as the topography of the area. There is nothing from the observations that I made that lead me to reach a different conclusion.

6. The appeal dwelling is an end of terrace property in a short terrace of four dwellings located in a built up residential area of the CA. It benefits from a single storey side extension with the dwelling at the opposite end of the terrace benefitting from a similar addition. The terrace reflects the wider form of development within the CA's main residential areas, which include a number of small terraces of limited length which are often symmetrical. These provide a

sense of cohesiveness and uniformity to the built form that contributes positively to the CA's significance.

7. The proposal would be a subservient addition to the appeal dwelling in terms of its scale. It would incorporate a hipped roof, which is a common feature for dwellings in the area, including the appeal dwelling, and matching materials. Due to its location and the level of separation with the dwelling at No 112 Watling Avenue, the proposal would not significantly reduce the sense of openness in the area or create a harmful terracing effect.

8. However, the introduction of a first floor extension to the side elevation of the appeal dwelling would visually unbalance the terrace to which it is attached. This would be harmful to the group value of the terrace and would reduce the contribution that it makes to the streetscene. I also observed there to be a noticeable lack of two storey development to dwellings in the area, so that the proposal would appear as an incongruous addition within this context. Moreover, the proposal would cause harm to the character and appearance of the CA by disrupting the prevailing sense of uniformity in its built form.

9. In reaching this conclusion, I note that the appellants Design and Access Statement suggests that the proposal is consistent with other developments approved by the Council. However, no details of any other developments have been provided to me and so I am unable to afford weight to this matter.

10. I find therefore that the proposal would significantly harm the character and appearance of the host terrace and would fail to preserve or enhance the character or appearance of the CA.

11. The harm that would be caused to the significance of the CA as a designated heritage asset would be localised to near the vicinity of the appeal site and would not result in a total loss of significance. Given this, I find the harm to be less than substantial. Under such circumstances, paragraph 202 of the National Planning Policy Framework (the Framework) states that this harm should be weighed against the public benefits of the proposal.

12. The appellants have not suggested any specific public benefits that they consider may weigh in favour of the proposal. While I observe that the proposal would result in increased living accommodation for the appellants, this is a private, not public, benefit.

13. Paragraph 199 of the Framework directs me to attach great weight to the heritage asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In this instance, there are no public benefits advanced in support of the proposal to outweigh the harm that would be caused to the significance of the CA as a designated heritage asset. Accordingly, the proposal conflicts with the Framework in terms of its aims to sustain and enhance the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

14. I conclude that the proposal would cause harm to the host terrace and the Watling Estate Conservation Area. There would be conflict with Policies DM01 and DM06 of Barnet's Local Plan (Development Management Policies) Development Plan Document September 2012 and Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document September

2012 (CS). In summary, these require proposals to preserve or enhance the character and appearance of Barnet's conservation areas and local character and ensure that development respects local context. The proposal would also conflict with the objectives of the CACAS.

15. In addition to the above policies, the Council refer to CS Policy CS NPPF. This sets out how the Council will consider developments proposals and is not pertinent to my overall considerations.

Conclusion

16. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Scott Britnell

INSPECTOR