
Appeal Decision

Site visit made on 23 August 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2021

Appeal Ref: APP/N5090/D/21/3275307
56 Union Street, Barnet EN5 4HZ

- 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 Dan Bone against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/4517/HSE, dated 24 September 2020, was refused by notice dated 24 February 2021.
 - The development proposed is described as 'request for solar panels to be installed on the property, on the back lower extension, which will be non-visible to the street'
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Decision

1. The appeal is allowed. Planning permission is granted for solar panels to be installed on the property, on the back lower extension at 56 Union Street, Barnet EN5 4HZ in accordance with the terms of the application Ref 20/4517/HSE dated 24 September 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg1 – Location and Ground Floor Plan, Dwg2 – Ground Floor Plan, Dwg 3 – Roof Plan, Dwg 4 – Side Elevation & Dwg 5 Side Elevation, Section, Garden Elevation.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. That on the application form adequately describes the proposal, however I have omitted superfluous wording that is not a description of development relating to the purpose and suggested merits of the case. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the host property and the Wood Street Conservation Area (the Conservation Area).

Reasons

4. The appeal property is an attractive semi-detached brick built dwelling forming part of a small group of such properties that are locally listed. The appeal

property sits within the Conservation Area (Area 3: Union Street) and contributes positively to its character and appearance.

5. As indicated by the Conservation Area Appraisal¹, the modest scale and appearance of the buildings, along with their tight grain and strong building lines form a key characteristic which are defining features of the character and appearance of this part of the Conservation Area. This is where the heritage significance of this part of the Conservation Area lies.
6. The solar panels would be located on parts of both roof slopes of a deep single storey outrigger which sits to the rear of the property. The outrigger dominates the rear of the property to such an extent that only part of the rear elevation of the modest main dwelling remains. It has a modern design and scale which contrasts markedly with the modest, largely unaltered front elevation. It would be this part of the building to which the solar panels would strongly relate.
7. Being set to the rear of the main dwelling, the solar panels would have very little or no visibility from the street given that the gap between the appeal site and the neighbouring No.54 Union Street is thickly planted. There may be some visibility from the windows on nearby properties and from other rear gardens, but given the level of planting and the viewing angles available, such visibility is likely to be limited.
8. It is the publicly visible front elevation of the dwelling that makes the positive contribution to the character and appearance of the Conservation Area. This elevation would be unaffected given the positioning of the solar panels on elevations of much more limited prominence. The traditional frontage would remain unaffected by the proposals.
9. The proposals would not compromise the heritage significance of this part of the Conservation Area which sits in part with the modest scale and the appearance of the buildings. The frontage of the building would remain unaffected. For these reasons, the appeal proposals would preserve the character and appearance of the host building and the Wood Street Conservation Area.
10. The scheme would therefore comply with Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan Core Strategy DPD (2012) as well as Policies DM01 and DM06 of Barnet's Local Plan Development Management Policies DPD (2012) which amongst other things seek high quality design that protects heritage assets.

Conditions

11. A set of suggested conditions should the appeal be allowed are included within the evidence. In addition to the standard three-year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans in the interests of certainty.
12. It would not be reasonable to condition the solar panels to exactly match the appearance of the existing building and I have therefore omitted this suggested condition. A condition requiring further plans is unnecessary as detailed plans have been provided of the solar panels and specifications have been provided.

¹ Barnet Borough Council Wood Street Conservation Area Character Appraisal Statement 2007.

Conclusion

13. I have identified no conflict with the development plan and there are no material considerations to indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR