



Appeal Decision

Site Visit made on 15 November 2021

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2021

Appeal Ref: APP/N5090/W/21/3274599

19 Varley Parade, The Hyde, Colindale, NW9 6RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Anoop Joshi against the London Borough of Barnet.
 - The application Ref 20/5360/RCU, is dated 9 November 2020.
 - The development proposed is the demolition of an existing vacant public toilet block and vehicle workshop and erection of a single storey rear extension to be used as vehicle workshop/cleaning bay.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was granted¹ in 2017 for a rear extension to the premises (The Approved Scheme). This includes a similar projection but would be shorter, at around 3.6 metres, in comparison to the proposal. It also included high level rear windows and was largely an adaption of existing built form. The approved scheme is therefore substantially different to the proposed development in character and scale.
3. During my visit I noted that the side and rear walls of the proposal had been largely constructed. I shall take this into account in my decision.
4. Furthermore, a proposed rear extension at 18 Varley Parade was allowed at appeal² in 2020. This included the full depth of the plot and had a maximum height of around 4.6 metres. During my visit I noted that this is currently unimplemented.

Background and Main Issue

5. The application was not determined by the Council within the statutorily prescribed 8-week timeframe. As such, following the submission of an appeal it falls to me to determine whether planning permission should be given. In consideration of the Council's Statement of case, and the evidence before me, the main issue in dispute between main parties is the effect of the proposal on the character and appearance of the area.

¹ Planning Application Reference: 17/2419/FUL

² Planning Appeal Reference: APP/N5090/W/20/3254800

Reasons

6. The appeal site is a corner plot within a commercial area. The host building is a two-storey brick structure that follows the scale and design characteristics of its neighbours. The site and several neighbouring units have rear extensions of various styles and sizes. The side elevation of the building is located close to the back of the footway of Woodfield Avenue. This residential road runs downhill from the site with dwellings being set back a similar distance from the highway. Consequently, the rear of the host building and its corner plot is exposed to views from both Woodfield Avenue and Edgware Road. It is therefore on a prominent site, due to its elevated position and the absence of screening. Due to the utilitarian nature of the rear of the site the site makes a neutral contribution to the character and appearance of the area.
7. The proposed rear extension would wrap around an existing substation that is within a single-storey building. It would have a maximum height of around six metres and its rear half would step down to about five metres. It would present a tall and wide addition that would harmfully jar with the more open and recessive appearance of built form within the adjacent residential street, offering an abrupt transition. The proposed scheme would therefore be an overt and prominent addition to the Woodfield Avenue streetscene.
8. Furthermore, its overall length and height would include limited articulation or design features with only high-level windows, providing negligible relief of this largely monotonous form. It would also share limited commonality with the form or scale of the existing building and contrast sharply with it. As viewed from Edgware Road it would extend the existing building and erode the sense of separation between the commercial parade and residential form of development behind.
9. The approved scheme, although of some scale itself, would include a reduced mass and greater articulation. The approved scheme has a disaggregated mass and would, as such, add more interest to the streetscene than the proposal. Also, the neighbouring approved scheme, would be set away from the corner and follow the recessed building line of dwellings on Woodfield Avenue and the side of the rear garage block. If implemented this would form a more considerate relationship with existing built form, a merit that is absent from the proposed development. As a result, previously approved extensions do not set a precedent that offers significant support for the proposed development.
10. Consequently, the proposal would result in a disproportionate and bulky extension that would adversely harm the character and appearance of the host building and streetscene. For this reason, the proposal would be contrary to policy CS5 of the Barnet Core Strategy (2012) and policy DM01 of the Barnet Development Management Plan (2012). These policies, among other matters, seek development that would protect the borough's character, create high-quality places and respect the pattern of surrounding built form.

Other Matters

11. The car showroom, on the opposing corner of the appeal site, is a free-standing building of contemporary design. It is set well away from Woodfield Avenue and as such the effect of its design and mass, on the adjacent residential street, is limited.

12. The appellant asserts that the proposal is necessary to ensure that the site and business remains economically sustainable. However, there is limited evidence to illustrate this point. It is therefore unclear the extent of any greater benefit garnered between the approved scheme and that proposed.

Conclusion

13. Although the National Planning Policy Framework seeks to support sustainable economic growth, this is not without regard to its requirement for development to be sympathetic to local character. As such, there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal is dismissed, and planning permission is refused.

B Plenty

INSPECTOR