

Appeal Decision

Site visit made on 1 February 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH February 2022

Appeal Ref: APP/N5090/D/21/3281037

59 Hendon Wood Lane, Barnet Gate, London, NW7 4HT

- 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 Zeezee Ranginkaman against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/0264/HSE, dated 18 January 2021, was refused by notice dated 30 June 2021.
 - The development proposed is a new driveway and associated landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt and the main issues are:
 - whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (Section 13: Protecting Green Belt land) and development plan policy;
 - the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area;
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development

3. The appeal property is a detached extended dwelling located at the end of a short cul-de-sac running parallel to Hendon Wood Lane. It is located at the edge of a residential area in the Green Belt, characterised by the presence of a row of detached dwellings separated from Hendon Wood Lane by an access lane and a bank of woodland.
 4. Number 59 Hendon Wood Lane sits considerably higher than the main road itself. A large front garden extends to the front and side of the house. A lawned
-

area reaches towards woodland and this drops steeply down through the wooded bank to the road beyond.

5. During my site visit, I observed the area around No 59 to be particularly green. The presence of planting and woodland, lends the area a notably sylvian character and affords a verdant, open and spacious character to the area. The presence of the woodland, with views through and around the trees and spaces, makes a significant contribution to the Green Belt's attractive openness.
6. The proposal would involve the removal of trees, including the loss of trees subject to a Tree Preservation Order and the creation of an area of hardstanding for parking, together with the creation of a new access, which would cut directly through the wooded bank to Hendon Wood Lane below.
7. Contrary to Paragraph 150 of the National Planning Policy Framework (the Framework), which recognises that some forms of development are not inappropriate in the Green Belt, by removing trees and replacing a sylvian environment with an engineered grass block covered parking area, a driveway and a hardstanding crossover, the proposed development would fail to preserve the openness of the Green Belt.
8. Taking all of the above into account, I find that the proposal would comprise inappropriate development in the Green Belt. This would be contrary to London Plan (2021) Policy G2. Further, Paragraph 147 of the National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness and character and appearance

9. Openness is an essential characteristic of the Green Belt. For the reasons set out above, the proposed development would reduce the openness of the Green Belt. It would do so in a way which would introduce vehicular movements through a woodland bank. This would result in the proposed development drawing attention to itself and I find that this would increase the impact of the loss of openness arising.
10. The proposal would severely erode the rural qualities of the area. Whilst the grass blocks proposed would provide for an element of greenery, the overall appearance of the proposal would be that of a parking area and access road. As such, the proposal would urbanise an area notable for its sylvian qualities.
11. I find that the harm arising from the above would be exacerbated as a result of the loss of trees of special amenity value and the introduction of a crossover in an area where no such access exists. This would serve to transform the appearance of an otherwise unbroken expanse of treed bank, introducing an incongruous urban feature and eroding the identified attributes of the area.

Other considerations

12. I have identified harm to the Green Belt. There are no very special circumstances that weigh in favour of the proposal.
13. The Council's reasons for refusal referred to a lack of information in respect of highways and ecology. The appellant has stated a willingness to accept

conditions in the interests of seeking to address these points. However, in this case, a willingness to accept conditions does not amount to a very special circumstance that weighs in favour of the proposal.

Conclusion

14. The proposal would comprise inappropriate development, which is, by definition, harmful to the Green Belt. There would be harm to openness and I afford this considerable weight. There would be significant harm to local character and this is a factor to which I also afford considerable weight. There are no very special circumstances that outweigh the totality of the harm arising.

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR