The Planning Inspectorate

Appeal Decision

Site visit made on 14 March 2022

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 1 April 2022

Appeal Ref: APP/N5090/D/21/3281147
Grove End House, Camlet Way, Barnet EN4 0NH

- 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 Henry Conlon against the decision of London Borough of Barnet.
- The application Ref 21/2215/HSE, dated 19 April 2021, was refused by notice dated 15 June 2021.
- The development proposed is for the removal of a car lift to basement and creation of light well. Conversion of existing basement garage into gym and home cinema.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against the Council. This is the subject of a separate Decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character and appearance of the Monken Hadley Conservation Area.

Reasons

4. The site lies in the Monken Hadley Conservation Area (MHCA) which is described, in the Monken Hadley Conservation Area Character Appraisal Statement 2007, as having a special character which relates to development in the 18th and 19th centuries. The area has large Georgian houses with impressive gardens which surround Hadley Green and the edges of Monken Hadley Common and, with the scattered groups of mature trees, has a rural appearance. It is also located in the Green Belt.

5. The appeal property is a detached neo Georgian style house which is located within area six, Camlet Way, of the MHCA. It is located next to Monken Hadley Primary School. The property has a symmetrical façade with front ground floor bay and flush sash windows and a central portico doorway. The front external area consists of a central paved footpath to the door with car park bays to either side. Looking from the front, the bay to the left has a gravel finish, while the bay to the right consists of a car lift which allows cars to be lowered to a basement parking level. When not in use, the lift is flush with the ground and a large expanse of steel plate is visible over the area. However, when used, the car lift rises above the ground with the steel plate and structural frame highly visible and obstructing views of the front façade. The front area is enclosed

with iron railings and stone pillars. The footpath and parking bays are all separately gated.

6. The proposal would remove the existing car lift, install a light well with access steps and an approximately 1.1m high by 2.5m long clear glass balustrade to the front of the property and convert the existing basement garage into a habitable space. The remainder of the area currently occupied by the car lift would be replaced by a driveway in front of the light well.

7. The car lift is an uncharacteristic feature for the area. It is recognised that the ground level steel plate is visually intrusive and not in keeping with the setting of the building or the character of the area. However, as it is flush to the ground, it does not have a direct visual impact on the building's front façade and does not significantly detract or block views to the building. While it is understood that when the car lift is used, the raised structural frame significantly detracts from and harms views of the building, no evidence detailing the frequency and length of time this occurs has been provided. In all likelihood, the impact and harm from its operation is infrequent and transient as surface parking is available and the transfer of cars will be a fairly quick process. Once the car transfer is completed, then the lift is returned to its flush ground position. On this basis, while the car lift does harm the character and appearance of the MHCA, as it is flush to the ground for the majority of its time, this impact is relatively limited.

8. The proposal would create an open light well with glass balustrade. Neither of these features are common within the MHCA. Notwithstanding that the proposed light well would be smaller than the car lift surface and the steel plate finish would be replaced by a driveway, it would still create quite a large unconcealed opening within the front area. This would be visually intrusive, and a more distinctive and distracting feature than the unraised car lift. The inclusion of the modern and permanent glass balustrade would not significantly screen the light well. It would allow views of the opening and would accentuate its prominence by creating a raised feature around it. It would further introduce a permanent vertical barrier within the external area which would be out of character with the façade and the MHCA.

9. Although the adjacent school provides some limited screening, the proposal would still be highly visible from the front access road and the surrounding green area. While it is appreciated that attempts have been made to reduce the visual intrusion of the balustrade by minimising its height, length and using clear glass, the proposal would still be prominent in the street scene. Overall, the proposal would increase the visual harm to the character and appearance of the building and MHCA compared to the existing car lift.

10. It is acknowledged that the conversion of the basement to living space would be a benefit to the occupiers. However, this does not justify the identified harm to the character and appearance of the building and MHCA.

11. As the appeal property sits within a conservation area, any development must be considered within the context of Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that I pay particular attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

12. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation. That is still so, irrespective of whether the potential harm is 'less than substantial'. While the existing car lift already harms the character and appearance of the designated heritage asset, the proposal would increase this harm. This harm would be 'less than substantial' and in accordance with paragraph 202 of the Framework, the public benefits must be balanced against any harm found. The proposal would be expected to improve the light and access into the building's basement area, but these would be a private benefit for the appellant. There would be no public benefits, and this would not outweigh the harm to the MHCA.

13. In conclusion, the proposal would not preserve or enhance the character and appearance of the Monken Hadley Conservation Area. It would be contrary to Policies D1, D4 and HC1 of the London Plan (2021), Policies CS1 and CS5 of the Barnet's Local Plan (Core Strategy) Development Plan Document (2012), Policies DM01 and DM06 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) and Barnet's Residential Design Guidance Supplementary Planning Document (2016). It would also be contrary to the Framework. These policies and guidance, amongst other matters, seek to ensure development is designed to a high quality which conserves, enhances and is sympathetic to heritage assets and the character of the conservation area.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR