



Appeal Decision

Site visit made on 5 April 2022

by Peter White BA(Hons) MA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2022

Appeal Ref: APP/N5090/W/21/3289968

Al Araf, Dudley Road, Finchley, London, N3 2QR

- 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 Ayesha Iqbal against the decision of London Borough of Barnet Council.
 - The application Ref 21/5567/FUL, dated 20 October 2021, was refused by notice dated 15 December 2021.
 - The development proposed is the erection of a single storey rear extension and conversion of dwelling into 2 x self-contained flats (1 x 1 bedroom and 1 x 2 bedroom)
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether or not the proposed development would result in the unacceptable loss of family housing, with regard to the character of Dudley Road.

Reasons

3. Dudley Road is a suburban street characterised by houses. Most are in use as single dwellings, and only two appear to be in use as flats. Policy DM01 of the Local Plan¹ sets out that the conversion of dwellings into flats, and the loss of houses in roads characterised by houses will not normally be appropriate.
4. The text supporting Policy DM01 provides further information relating to the appropriateness of proposed conversions. It suggests that conversion may be appropriate in certain types of property or street, particularly where they are highly accessible. In this case the site is located within an area of poor transport accessibility, being rated as Public Transport Accessibility Level (PTAL) 1b².
5. The supporting text also includes a requirement to consider dwelling size priorities. Policy DM08 states that homes with 4 bedrooms are the highest priority for market housing, and homes with 3 bedrooms are a medium priority, referring to family housing in its supporting text. The existing 5 bedroom dwelling contains at least 4 bedrooms and I consider its retention as a single dwelling is a priority, considering DM08. Its loss would therefore be unacceptable.

¹ Barnet Local Plan Development Management Policies Development Plan Document (2012)

² Transport for London Public Transport Accessibility Level - as adopted in the London Plan 2021

6. In regard to the character of the area, the Council do not appear to have any substantive concerns about the effect of the appeal scheme on the physical traits of the area. Indeed, they note that the proposed extension and alterations to the fenestration arrangement of the building would not give rise to harm. I am inclined to agree in the absence of anything compelling to the contrary.
7. The appeal site is the only detached dwelling on Dudley Road. Although it shares the roughcast render found on elements of other dwellings, it presents a different form, without the tile hanging, timberwork, and detailing of other dwellings. It is also the only house I saw at my site visit without front boundary walls, with a dropped kerb and paving, facilitating off-street parking.
8. In the context of the changes to the character of the area, the existing differences of the dwelling and its curtilage compared to others in the street would be emphasised by the change in tenure type. Although this would be a change to something different, in isolation it would be unlikely give rise to harm in and of itself, and the change in character would lead to harm which, in this case, would be the unacceptable loss of a single family-sized dwelling of priority-type housing on this road characterised by houses.
9. The proposed development would therefore conflict with Policy DM01 and, by association, Policy DM08 of the Local Plan, the aims of which I have set out above. It would also conflict with the relevant aspects of Policies CS1 and CS5 of the Core Strategy³ which seek to protect the character of Barnet's suburbs.
10. In terms of the character of areas, the advice set out by the Council's Residential Design Guidance Supplementary Planning Document 2016 (SPD) generally concentrates on an area's physical traits in the context of appearance and design. However, it does raise matters of parking and how such might affect the character of areas. The Council's highways advisors suggest that an additional 0.5 parking spaces would be required for the proposed development but do not say that the appeal scheme would be unacceptable as a result. Requirements for bin and cycle storage on the frontage may also have an effect on the space available, and I note the comments of third parties in this regard. However, even if the appeal scheme did not conflict with the SPD, and all these matters were acceptable and did not give rise to further harm, it would not follow that the proposed development was acceptable. For the reasons I have given, the conflict with the adopted development plan would remain.

Other Matters

11. I am aware of the Council's emerging Local Plan which it authorised for submission to the Secretary of State for Examination in October 2021. However, no reference has been made to draft policies by either party, and no emerging plan policies have been provided to me. On the available evidence, the plan remains unadopted and I have referred to that which is adopted at the time I make this decision.
12. The appeal scheme may result in a reduction in the total number of people residing at the building which, in turn, could lead to a reduction in the number of movements to and from it. Whether or not that is the case, this matter would not be determinative in terms of this appeal, in that it would not

³ Barnet Local Plan Core Strategy Development Plan Document (2012)

outweigh the harm I identify in relation to the loss of a single family-sized dwellinghouse.

13. Other aspects of the development which are considered to be acceptable, such as the effects on the living conditions of neighbouring occupiers, would be neutral in the balance of considerations, and would not change my conclusion on the main matter set out above.

Conclusion

14. The proposed development would conflict with the development plan and there are no material considerations that would outweigh the harm arising. The appeal is therefore dismissed.

Peter White

INSPECTOR