



Appeal Decision

Site visit made on 8 August 2022

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2022

Appeal Ref: APP/N5090/W/22/3294000

163 Littlefield Road, EDGWARE HA8 0TE

- 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 Atul Agarwal against the decision of London Borough of Barnet.
 - The application Ref 21/4297/FUL, dated 9 August 2021, was refused by notice dated 8 October 2021.
 - The development proposed is the conversion of existing property into 2no. self-contained flats including single storey front extension and first floor rear extension. Increase width of existing vehicular access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed front elevation shows a window to the side of the front doors. This is not shown on the proposed floor plan. Despite this discrepancy, I have considered the proposal on the understanding that a front window is part of the proposed scheme.

Main Issues

3. The main issues are:
 - Whether the proposed development would preserve or enhance the Watling Estate Conservation Area (WECA) and its effect on the character and appearance of the area,
 - The effect of the proposed scheme on the living conditions of future occupiers, with particular respect to the size of the accommodation,
 - The effect of the proposal on the living conditions of the occupiers of 161 Littlefield Road (No 161), especially with respect to privacy, and
 - The effect of the proposal on on-street parking provision within the area.

Reasons

Character and appearance

4. Littlefield Road is a residential street within a suburban location. Housing predominantly consists of terraced and semi-detached properties. The pattern of local development is generally consistent, being two-storey with common front boundary lines and of similar width plots. Corner plots are often treated

with a design that punctuates these more prominent locations. The appeal dwelling is part of a semi-detached pair that matches the generally layout and form of No's 74 and 180 on the opposite side of Littlefield Road. These two pairs of buildings act as a gateway into Littlefield Road and create a coherent pattern of development that is continued along the road. Due to its form and prominence within the street, the appeal dwelling makes a positive contribution to the character and appearance of the area.

5. The site is within the WECA. My statutory duty¹, requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, paragraph 199 of the Framework requires great weight to be given to an asset's conservation when considering the impact of the proposal on its significance. The WECA Character Appraisal (2007) identifies that its residential areas consist of an integrated composition of build form. This includes a cohesive layout that reinforces a strong sense of community. The significance of the WECA derives from its regimented street pattern, relationship to green space and historical interest.
6. The proposed rear extension would be partially visible from the street over the side extension, from neighbouring rear gardens and Trueman Close. It would include a flat roof, would fill the full width of the rear elevation and include a staggered rear wall. It therefore includes features that are not reflected in the original dwelling or local built form. The proposed roof would not complement the design of the main roof of the existing house. It would be a bulky addition to a dwelling that has already been substantially extended in the past. As a result, despite the proposed use of matching materials, the proposed rear extension would not integrate well with the existing dwelling or surrounding area.
7. The proposed front extension would extend along the entire width of the frontage that addresses Littlefield Road. It would be of a size and design that would not accord with the width or roof form of the gable feature of the dwelling or be subservient. Therefore, whilst aligning with the existing side extension, the proposed front extension would be a disproportionate and dominant addition to the existing building and fail to reflect its architectural style. Furthermore, this element would extend beyond the relatively consistent building line along Littlefield Road. This would be an intrusive form of development that would intrude into wider views of the street. Therefore, the proposed front extension would also detrimentally harm views of the regimented and balanced development around the entrance to Littlefield Road.
8. Policy DM01 of the Development Management Policies DPD (2012) (DPD) states that the conversion of houses in roads characterised by houses will not normally be appropriate. This seeks to prevent noise and disturbance from an intensification of activity resulting in a reduction in existing resident's living conditions. The appeal site is within an area without flat conversions and as such the proposal would fail to satisfy this policy requirement. However, the frontage is relatively wide and could accommodate refuse storage. Therefore, the additional activity created would be unlikely to cause an adverse effect on adjacent occupiers of the type described by the Council. As such, based on the evidence before me I am unconvinced that the subdivision of the dwelling

¹ section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990

would be incongruous with the established pattern of development or have a material effect on its character.

9. In summary, taking the above points together, the design of the proposal would harm the form and design of the existing building, its sense of balance with the adjacent semi-detached property and the wider street scene. It would therefore not integrate well with its surroundings. Consequently, the proposed extensions would harm the character and appearance of the area and would not preserve or enhance the character or appearance of the WECA in conflict with s72 of the Act.
10. As a result, the proposal would conflict with policies D3 and HC1 of the London Plan (2021), policies CS NPPF, CS1 and CS5 of the Core Strategy (2012) (CS), policies DM01 and DM06 of the Local Plan Development Management Policies DPD (2012) (DPD), the Council's Sustainable Design and Construction SPD (2016) and the Council's Residential Design Guide. These seek, among other matters, for development to respect the context and character of an area and for proposals to be based on an understanding of local characteristics.
11. The harm identified to the conservation area would be 'less than substantial'. Paragraph 202 of the Framework, states that where harm to a heritage asset would be 'less than substantial' this should be weighed against the public benefits of a proposal. The proposal would make efficient use of previously developed land in an urban setting where future occupiers would have good access to a range of goods and services. It would also deliver new economic activity both during and post construction. However, these benefits even if considered 'public', would be of limited weight in favour of the scheme. These would not outweigh the harm found to the conservation area, which the Framework identifies as an irreplaceable resource.

Living conditions – proposed

12. Policy D6 of the London Plan and the Council's Sustainable Design and Construction SPD (2016) requires housing to provide adequately sized dwellings and rooms. This requires a two-bed three person flat to be a minimum of 61m² and 70m² for four people. It also requires a three-bed flat to be a minimum of 74m² (for four people), 86m² (for five people) and 95m² (six people). The appellant has stated that the proposal is intended to be occupied by five people in the ground floor flat and three people at first floor although it is noted that all bedrooms are double bedrooms and able to accommodate two people.
13. The ground floor flat, with three bedrooms, would have a floor area of around 72m². This flat would fail the requirements of policy whether occupied by four, five or six people. The first-floor flat would be around 51m² and have two bedrooms. This flat would also fail the requirements of policy for occupation for both three and four occupiers. It is noted that the units would be dual aspect and occupiers would have access to a good provision of outdoor space. Nevertheless, due to the limited size of the flats, the overall quality of the accommodation would be poor and would be detrimental of the living conditions of future occupiers.
14. Accordingly, the proposal would fail to satisfy the requirements of policy D6 of the London Plan, CS policy CS4, DPD policies DM01 and DM02, the Council's Residential Design Guide and the Council's Sustainable Design and Construction

SPD (2016). These policies seek, among other matters, for development to provide a range of housing that meets the Council's identified needs and ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures.

Living conditions – existing

15. The appeal site is a corner plot with a rear garden that tapers to its rear. As a result, views from bedroom two currently overlook part of the rear gardens of No 161 and 72. However, this view is restricted due to the existing single-storey rear extension of the host dwelling and the side elevation of No 161.
16. The proposed rear extension would include three rear facing windows. These would serve a bathroom, and two serving a shared multi-use room for kitchen, dining and living. This room would only have rear facing windows. The bathroom window could be obscurely glazed, by condition, to prevent overlooking into neighbouring gardens. However, the two adjacent windows could not be obscurely glazed without creating a poor-quality living environment for future occupiers.
17. These windows would provide views into the garden of No 161. This would result in substantial overlooking in breach of the Council's separation standards. This effect would be substantially greater than can currently be experienced by occupiers from existing windows or in consideration of my observations of local relationships between neighbouring buildings. As such, the proposal would demonstrably harm the living conditions of neighbouring occupiers through a loss of privacy.
18. Consequently, the proposal would conflict with policy D3 of the London Plan (2021), CS policies CS1 and CS5, DPD policy DM01 and the Council's Sustainable Design and Construction SPD (2016) with respect to the effect on existing living conditions. These policies seek, inter alia, for development to achieve the highest standard of design and be designed to allow for adequate privacy for adjoining occupiers.

Parking provision

19. DPD Policy DM17 states that residential development that proposes limited or no parking may be acceptable in areas outside a controlled parking zone where it can be demonstrated, through a parking survey, that there is sufficient on-street parking capacity.
20. The appeal site is with an area with good access to public transport and not within a controlled parking area. However, during my visit, on a weekday mid-morning, I observed Littlefield Road and adjacent roads were subject to substantial on-street parking stress. Although my observations can only offer a snapshot in time, I see no reason why such parking stress would be uncommon. I would also expect the demand for on-street parking to be higher in the evenings and at weekends. The appellant has not provided a parking stress survey to demonstrate parking on-street is generally available.
21. The appeal site's frontage is relatively wide and includes a single width dropped kerb. The proposed block plan shows that the dropped kerb would be increased in width to around 8 metres. However, the appellant has not shown parking spaces on a layout plan. It may be possible to accommodate three spaces on site in terms of its width. However, I am unconvinced that these spaces would

be suitably depth to prevent a car from overhanging the footway. Indeed, whilst on site I noted that a car parked within this frontage was not fully parked within the site causing some obstruction of the footway.

22. Without a clear indication that three spaces can be provided on site, and in mind of local on-street parking pressures, it seems likely that overspill parking would lead to poorly parked vehicles in congested streets resulting in highway safety concerns. Therefore, despite the accessibility benefits of the site, which has only a moderate PTAL rating, the proposal would result in an unacceptable impact on highway safety.
23. As such, the proposal would conflict with policy T6.1 of the London Plan, CS policies CS9 and CS15 and DPD policy DM17. These policies seek, among other matters, for development to be refused that would result in an unacceptable increase in conflicting movements on the road network and to provide parking in accordance with the London Plan.

Other Matters

24. The Framework seeks to significantly boost the supply of dwellings. The proposal would one additional dwelling and would make more efficient use of previously developed land. Nevertheless, these benefits are of limited weight in favour of the proposal.
25. The proposed front extension is similar to some extent, to the extension added to No 72. However, the relationship of the frontage to surrounding development and prominence in balance with No's 74 and 180 opposite is substantially different. Furthermore, the front extension added at No 72 is part of a considered and comprehensive development. Building lines along Deansbrook Road are staggered and less coherent than frontages along Littlefield Road. For these reasons, the extension at No 72 does not set a positive precedent in favour of the proposal.

Conclusion

26. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. The conflict identified with the development is not outweighed by the limited benefits conveyed by the proposal. For the reasons given above, I therefore conclude that the appeal should not succeed.

Ben Plenty

INSPECTOR