



Appeal Decision

Site visit made on 22 September 2022

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2022

Appeal Ref: APP/N5090/W/22/3295433

159 High Street, Barnet EN5 5SU

- 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 Charlie Rose against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/6328/FUL, dated 2 December 2021, was refused by notice dated 26 January 2022.
 - The development proposed is second floor extension to form 1no. additional dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address on the application form omitted the number of the property. In the interests of clarity, the site address within the banner heading above is taken from the appeal form and the Council's decision notice.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host property and the Monken Hadley Conservation Area; and
 - Whether the proposed development would provide acceptable living conditions for future residents in terms of the provision of internal living space.

Reasons

Character and appearance

4. 159 High Street is at one end of a short row of terraced properties. The site is located within the Monken Hadley Conservation Area (CA). High Street is predominantly commercial in character with dense built form, unlike the more verdant and spacious character exhibited in much of the CA. High Street contains a range of architectural styles whilst building heights vary quite considerably. Brick and lightly coloured painted render frontages are characteristic of the area.
5. No 159 is a distinctive building. This principally stems from the design of the front gable elevation. The painted render finish of the building and its slate roof

with chimneys are further features which positively contribute to its appearance. The roof parapet of the front elevation has a distinguished shape, behind which, the roof has a simpler pitched profile. While recently altered and so not wholly historic, there is now a balanced apportionment to the fenestration within the front elevation. As was the case before the recent changes, there is a significant unbroken expanse of painted render wall between the top of the first floor windows and the line of the roof parapet. I find that this blank expanse of wall, the pronounced coping to the parapet, and the simpler pitched roof finished in the muted slate all serves to emphasize the conspicuous parapet and express the roofline from its central high point down to the eaves.

6. This distinctive appearance of the host property and the contribution that this makes to the range of architectural styles on High Street contributes to the character and appearance of the CA. There is nothing before me to suggest that the rich tapestry of buildings within the locality is not a key part of the significance of this part of the CA and the building contributes to this too. Though it is not of the same design, given its painted render first floor, and pronounced coping to its roof, the adjoining property bears some resemblance to the host property. The two frontages are complimentary, which contributes positively to the street scene.
7. The second floor front elevation window proposed would erode the space between the roofline and first floor windows and would diminish the extent to which the distinctive roofline is currently expressed.
8. Owing to its simple pitched roof and the recessed colouring of the slate, the roof slope behind the parapet is subservient in appearance. The two smaller dormers proposed, sited on the same roof slope, would be visible from High Street. By reason of their projection from the roof plane and their inclusion of glazing they would add complexity to this roof slope. This would serve to visually challenge the distinctive shape of the gable parapet and, again, diminish the extent to which it is currently expressed. Consequently, I find that the front elevation window and the two smaller dormers proposed to the same roof slope would be harmful to the character and appearance of the host property. In turn, the cohesion expressed between the appearance of the host property and that which it adjoins would be detrimentally affected.
9. From the rear of the property the front elevation window proposed would not be visible and the dormers and front parapet would not be seen in the same context. I accept, therefore, that in the views from the rear the development would not be harmful, but this does not overcome my concerns of the effects of the development when viewed from High Street.
10. The dormer proposed on the other roof slope would be the largest of the three proposed. Despite this, due to its position on the roof, the screening afforded by the roof parapet and by neighbouring buildings, the dormer would be largely concealed from view. From High Street itself any views of this dormer, if at all available, would be limited. Due to the extent to which this larger dormer would be obscured from view, it would not cause harm to the character or appearance of the host property or street scene.
11. High Street does contain a varied roofscape and dormer windows are quite common. I also note the planning permission granted for dormer windows, including those at the side, and other roofscape amendments, at nearby Nos

224-224a and planning permission and listed building consent granted at Nos 151-153. I have no plans and limited detail before me in relation to the scheme at Nos 151-153. As a result, I cannot make a detailed assessment of that scheme nor deduce to what extent there may be similarities between that scheme and this case. At Nos 224-224a, I particularly note the dissimilarity in the roofscape of that property with that in this case. Therefore, whilst there may be examples nearby of roofscape amendments, these do not overcome the specific concerns I have identified in this case.

12. I accept that the materials proposed in the development would be sympathetic. There are elements of the detailed design which are founded on appropriate design principles and would have merit. However, and for the reasons given, in this particular case and context, the development would be harmful.
13. The proposal would, therefore, fail to preserve or enhance the character or appearance of the CA. Such would cause less than substantial harm to the significance of the designated heritage asset and, in accordance with the Framework, this must be weighed against the public benefits of the proposal. I shall return to this later in my decision.
14. Notwithstanding this, the development would be contrary to Policies CS1 and CS5 of the Barnet Core Strategy Development Plan Document, 2012 (CS) and Policies DM01 and DM06 of the Barnet Development Management Policies Development Plan Document, 2012 (DMP). I also find that the development would be in conflict with the Residential Design Guidance Supplementary Planning Document, 2016 (Residential Design SPD). In summary, and amongst other things, those policies and provisions seek to ensure the highest standards of urban design, that development respects the appearance of buildings and preserves or enhances Barnet's conservation areas.

Living conditions

15. There is inconsistency between the minimum floor to ceiling height requirements contained within Policy D6 of the London Plan, 2021 (LP) and those contained within the Sustainable Design and Construction Supplementary Planning Document, 2016 (Sustainable Design SPD), the Residential Design SPD and the Technical Housing Standards – Nationally Described Space Standard (NDSS).
16. The proposed floor to ceiling heights would meet the guidance contained within the two SPDs, and thereby DPD Policy DM02 that references these and a previous version of the LP. It would also meet the NDSS, which is also referenced in the National Model Design Code. However, the new LP requires greater ceiling heights that are not met. As the most recently adopted part of the development plan relevant to this issue, the conflict with the LP receives the greatest weight and indicates that the proposal would not deliver a home of high quality with adequate living conditions. It would, therefore, also conflict with DMP Policy DM01 that seeks to deliver high quality development and the development plan read as a whole.
17. The development involves the conversion of a traditional property. However, the evidence before me does not demonstrate that this is the only option to convert the property and given that it would be of harmful appearance, there is no clear reason that a flexible approach to space standards suggested in the Residential Design SPD should be applied. A lack of harm in respect of other

aspects of living conditions are neutral in the planning balance. Therefore, given the conflict with the development plan, I find that the proposal would fail to provide acceptable living conditions for future occupiers.

Other Matter

18. A public benefit would result from the creation of an additional home which would boost the supply of housing in the area, albeit it would make only a small contribution. Furthermore, homes must be of adequate quality, and I have identified that the quality of accommodation which would be provided would be inadequate, failing to provide acceptable living conditions for its future occupiers. Therefore, I attribute limited weight to the boost to housing supply.

Conclusion

19. In the first main issue I have identified that less than substantial harm to the character or appearance of the CA would result. The Framework confirms that great weight should be applied to the conservation of designated heritage assets. Given the limited weight that I have ascribed to the public benefits of providing additional housing, these do not outweigh the harm. For this reason, and my findings on the second main issue, I find conflict with the development plan, read as a whole.
20. There are no relevant material considerations which indicate that a decision otherwise than in accordance with the development plan should be taken. Therefore, the appeal is dismissed.

H Jones

INSPECTOR