



Appeal Decision

Site visit made on 13 July 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/N5090/D/23/3322242

14 Hadley Highstone, Dury Road to Great North Road, Barnet EN5 4PU

- 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 Ms Alexia Archeou against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/0041/HSE, dated 4 January 2023, was refused by notice dated 7 March 2023.
 - The development proposed is described on the planning application form as:
"I have applied to drop my kerb. I have been informed that I need to also seek planning permission too. I would like to build a driveway. It will simply remove the picket fence, and leave the plant beds on one side for drainage and the current grass area will be replaced with Resin bound Gravel in a beige colour to keep the same style as the house has currently. No structures, gates etc."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is within the Monken Hadley Conservation Area (the CA). Accordingly, the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) applies, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the host property and the area, and whether it would preserve or enhance the character or appearance of the CA.

Reasons

4. The CA covers an expansive area of varied character including large areas of woodland, publicly accessible commons and residential areas of differing density and typology. Whilst the present-day CA contains some relatively urban and commercialised areas, such as those along the Great North Road on the northern edge of Chipping Barnet, its built-up areas generally retain a village-like feel.
5. The Monken Hadley Conservation Area Character Appraisal Statement – Adopted January 2007 (the CAS), states that the area has a rich history associated with a predominantly rural society. The appeal site is identified as part of 'Area one – Hadley Highstone Kitts End Road'. The historically important

route of the Great North Road, linking London to the north of England, runs through this area. The appeal site fronts on to part of the Great North Road known as Hadley Highstone.

6. The immediate area is predominantly residential, comprising mainly of a variety of traditional detached, semi-detached, and terraced dwellings. The form of development is comparatively denser than is found in many other parts of the CA and dwellings are set back from the road frontage to varying degrees. Although there are some exceptions, dwellings generally feature front gardens bound by hedgerows or picket fences. Some dwellings set further back from the road incorporate parking areas adjacent to the roadside, with front gardens set between the parking areas and the dwellings when viewed from the roadside. Some of the more widely spaced dwellings incorporate parking areas to the side. Insofar as it relates to the appeal, the significance of the CA relates predominantly to the historical importance of the Great North Road and the traditional characteristics of the buildings that lie adjacent to it.
7. The CAS and the accompanying plan of the CA establish that the appeal site forms part of an area subject to an Article 4 direction which removes permitted development rights for, among other things, hard surfacing fronting a highway.
8. The appeal property is one of a pair of traditional semi-detached cottages. Both dwellings currently feature modestly sized, predominantly soft-landscaped front gardens. At the time of my visit, the fence and gate forming part of the site's front boundary had been largely removed, retaining only a small section of picket fencing to the left-hand side as viewed from the street. The submitted plans illustrate that the existing shrubs to the right-hand boundary, as viewed from the street, would be retained. However, it appeared at my visit that some of these shrubs had been recently cleared.
9. There are numerous nearby examples of hard-surfaced parking to the front of dwellings. However, these are generally at plots featuring deep front gardens, where a reasonable amount of dedicated front garden is retained beyond the parking area and is enclosed by appropriate boundary treatments. In this case, the front garden is modestly sized and mainly grass. The proposed development would result in much of this area being hard surfaced up to the front elevation of the dwelling, with the resulting forecourt being open to the street. Even though some soft landscaping would be retained, this would cover a minimal area and would fail to reflect the intrinsic characteristics of the CA.
10. The neighbouring dwelling at No 18 is unlike many nearby properties in that it has a largely hard-surfaced parking forecourt. However, the CAS identifies this as a former coaching house and includes an image of it in recent use as a restaurant, with the current parking area appearing to be used as a hard-surfaced outdoor dining area. The character of this building has therefore changed over its history. By comparison, the appeal property and its adjoining dwelling are traditional semi-detached cottages that broadly retain their original character and make a positive contribution to the CA. As such, I do not find the neighbouring example to offer any meaningful weight in favour of the proposals.
11. Given the above considerations, the proposed development would appear dominant, stark and uncharacteristic in the context of the host property, its adjoining dwelling and the wider surroundings, and it would harm the character and appearance of the CA.

12. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given my findings above, the harm to the CA is less than substantial in this instance but nevertheless of considerable importance and weight.
13. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. I acknowledge the appellant's personal statement, which notes matters including the difficulty of parking in the area and safety concerns when crossing the road. The statement also notes that the surfacing materials would seek to match those used on the existing house. However, I am provided with limited substantive evidence as to how the proposed development would directly deliver public benefits in terms of these or any other matters. As such, the public benefits necessary to outweigh the harm to the CA have not been demonstrated.
14. The Supplementary Planning Document: Residential Design Guidance – October 2016 (the SPD) is a material consideration, although the weight attached to it is limited to its role as guidance. Whilst the proposed parking area would retain some soft landscaping, as encouraged by section 16 of the SPD, it would conflict with other elements of the SPD, specifically paragraph 17.10, which requires proposals in conservation areas to have special regard to the desirability of preserving or enhancing their character or appearance.
15. Given the above and in the absence of any defined public benefit, I conclude that the proposal would harm the character and appearance of the host property and the area and would fail to preserve the character or appearance of the CA, resulting in harm to its significance. This would fail to satisfy the requirements of the Act, the Framework and would conflict with Policies D3 and HC1 of the London Plan – March 2021, Policy CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document – September 2012, and Policies DM01 and DM06 of Barnet's Local Plan (Development Management Policies) Development Plan Document – September 2012. Together these policies seek, among other objectives, to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness, for development proposals to be based on an understanding of local characteristics, and to conserve the significance of heritage assets. The proposal would also conflict with the SPD, which has similar aims.

Conclusion

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

P Storey

INSPECTOR