
Appeal Decisions

Site visit made on 12 June 2024

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2024

Appeal A Ref: APP/N5090/W/24/3336880

18 Hadley Highstone, Barnet, EN5 4PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Lisa Chatwell against the decision of the Council of the London Borough of Barnet.
 - The application reference is 23/3609/HSE.
 - The development is described in the application form as 'proposed new surface for driveway and electric gates and railings'.
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Appeal B Ref: APP/N5090/Y/24/3336881

18 Hadley Highstone, Barnet, EN5 4PU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Ms Lisa Chatwell against the decision of the Council of the London Borough of Barnet.
 - The application reference is 23/3986/LBC.
 - The works are described in the application form as 'proposed new surface for driveway and electric gates and railings'.
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Decisions

1. Appeal A is dismissed.
2. No further action taken in respect of Appeal B. The appeal is not determined on the basis of listed building consent not being required for any of the works.

Preliminary Matters

3. Notwithstanding the application description set out above, I observed at my site visit that the hard standing and posts forming part of the application have already been constructed. The gates and railings, however, have not been constructed. A white picket fence and gates on the front boundary were removed prior to construction of the posts and hard standing.
4. The appeals follow the refusal of both planning permission and listed building consent. I have sought and received the comments of both main parties on the need for listed building consent. From the evidence before me and my inspection at the site visit, it does not appear that listed building consent is required for any of the works, given that neither the hard standing nor the gates and railings have led to or would lead to an alteration of or extension to the listed building in a way that would affect its special architectural or historic interest. Whilst the previous picket fencing has been removed, there is no evidence to suggest, and it does not appear to me from the photograph

provided, that this was erected before 1 July 1948, on which basis it would not have formed part of the listing.

5. I have therefore taken no further action in relation to the s20 appeal against the refusal of listed building consent but have continued to determine the s78 appeal against the refusal of planning permission.
6. The appeal site is within an area subject to an Article 4 direction which removes permitted development rights for, amongst other things, hard surfacing fronting a highway.
7. As the appeal relates to the setting of a listed building and is in a conservation area, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').

Main Issues

8. The main issues are (i) whether the development would preserve the setting of the Grade II listed building, 'King William IV Public House' (now known as 18 Hadley Highstone) (Ref:1359019) and (ii) whether the development would preserve or enhance the character and appearance of the Monken Hadley Conservation Area ('the Conservation Area') and (iii) the effect on highway safety.

Reasons

Listed building and Conservation Area

9. The building to which the appeal relates was listed in 1983 and dates from the 17th century. It is a two-storey timber framed former coaching inn, public house and latterly a restaurant that was converted into a dwellinghouse approximately twelve years ago. Despite several alterations and extensions, the frontage of the building retains some of its earlier charm as a former coaching inn and public house, including its weatherboarded left-hand bay and the shaped bargeboard with finial. The front parking area has previously been in use as the forecourt to the public house and appears to have been paved. I therefore find the special interest of the listed building in so far as it relates to this appeal, to be primarily associated with its historic and architectural interest as a former 17th century coaching inn and public house located on a key historic route northwards from London.
10. I consider the setting of the building, insofar as it relates to this appeal and its special interest, to include the open forecourt to the front of the building and the views along the road within its immediate surroundings within this historic and semi-rural part of Hadley Highstone (part of the Great North Road). As such, this directly contributes to its special interest as a former coaching inn.
11. The Conservation Area stems from a long association with what was a predominantly rural society. It has maintained a generally green and well landscaped character including areas of open space such as Hadley Green located on either side of the Great North Road. The scale, grain and texture of its ribbons of historic buildings evidence the evolution of the community and development within the area, including along the Great North Road. The south and north parts of Hadley Green are lined with groups of mostly small-scale Victorian cottages of stock brick or stucco. The appeal property is located within a pleasant and interesting group of buildings on the north side of Hadley

Green which make a positive contribution to the character and appearance of the Conservation Area.

12. The front boundaries to properties in this part of the Conservation Area generally consist of modest picket fencing, hedging or similar along with trees and landscaping within most front gardens, contributing to the semi-rural character of this part of the Conservation Area. Whilst the property immediately to the east (No.22) has front railings, timber picket fencing on the front boundaries of properties, is a common feature within the immediate area as noted in the individual character analysis within the Monken Hadley Conservation Area Character Appraisal (January 2007).
13. Therefore, insofar as it relates to these appeals, the significance of the Conservation Area is primarily associated with the evidence of the historic development along this part of the historically important Great North Road and the traditional characteristics of the buildings adjacent to it within a semi-rural setting, including the front boundary treatments and front garden/forecourt areas.
14. Whilst the proposed ground floor plan indicates new black painted railings and sliding security gates to match the railings, these are not shown on the elevation plans, with only the support posts being depicted. In any case, the block-like and utilitarian appearance of the posts are in contrast with the more semi-rural and traditional appearance of the previous picket fencing and surrounding boundary treatments, and indeed the lighter appearance of the slimmer and lighter railing posts at No.22. The discordant visual effects of the posts along with the proposed railings and sliding security gates would be likely to draw the eye and erode the historic and visual setting of the listed building and would adversely affect the character and appearance of the Conservation Area.
15. The new resin bound driveway, taking account of its materiality and its large extent across the forecourt area, is stark, uniform, and dominant in appearance and contrasts with the generally more traditional frontages elsewhere. Whilst it replaces a former hardstanding, this appears to have consisted of paving with a greater opportunity for landscaping, which would have been of a more pleasing and sympathetic appearance to its location both adjacent to the listed building and prominently sited within the Conservation Area.
16. The development would therefore harm the historic setting and therefore the special interest of the listed building as well as causing harm to the character and appearance of the Conservation Area. I have given the harm resulting in both these respects great weight.

Highway safety

17. The Council states that the crossover needs to be a maximum of 4.2 metres in width. The photograph provided as Appendix A of the appellant's statement indicates that the existing cross over was in existence prior to the first construction of the development the subject of this appeal. It also shows that vehicular gates existed within the picket fencing in a similar position to the gates now proposed. The proposed electric gates are stated as being 3.8m in width and thus would serve to restrict the width of the access to the property, irrespective of the width of the existing cross over. As such, I consider that the vehicle access arrangements would be satisfactory, noting that the position

would not be materially different to the previous situation prior to the carrying out of the first part of the appeal development.

18. I am therefore satisfied that the development would not lead to any significant highway safety implications and would accord with the relevant aims of Policy DM17 of the Barnet Local Plan (Development Management Policies) Development Plan Document September 2012 (BLPDMP).

Planning balance

19. Paragraph 205 of the National Planning Policy Framework 2023 ('the Framework') advises that when considering the impact of a development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that any harm to, or loss of, the significance of a designated heritage asset from its alteration or destruction, or from development within its setting, should require clear and convincing justification. Give the modest scale of the development, I find the harm in each case to be less than substantial in this instance but nevertheless of considerable importance and weight.
20. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits. The appellant draws attention to the enhancement to security that would arise, including with regard to car theft. Whilst it is reasonable to consider this as a public benefit in terms of a potential reduction in crime and the creation of safe and secure environments, it seems to me that alternative security measures may be possible that do not lead to heritage harm. Furthermore, whilst the appellant argues that the scheme overcomes an issue where the previous soft landscaping and planting caused water ingress to the internal face of the listed building causing damage to it, no evidence has been provided of this. The public benefits are therefore limited in this case.
21. Given the above, I find that the harm would outweigh the limited public benefits. I conclude that the development would fail to preserve the setting of the Grade II listed building, 'King William IV Public House' (now known as 18 Hadley Highstone), as well as the character and appearance of the Conservation Area. This would fail to satisfy the requirements of the Act and would be contrary to the relevant heritage and design aims of Policies D3 and HC1 of the London Plan 2021, Policy CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document September 2012, Policies DM01 and DM06 of the BLPDMP, the Barnet Supplementary Planning Document: Residential Design Guidance October 2016 and the Framework.

Conclusion

22. For the above reasons I conclude that appeal A should be dismissed. No further action is taken on Appeal B.

David Cliff

INSPECTOR