



Appeal Decision

Site visit made on 20 June 2024 by N Unwin BSc (hons) MSc MRTPI

Decision by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2024

Appeal Ref: APP/N5090/W/24/3339407

Land to the South West of 77 Stoneyfields Lane HA8 9SJ

- 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 Mr Mamed Daryabak against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 23/4882/FUL.
 - The development proposed is described as the conversion of unused land to single residential dwellinghouse with ground and basement levels.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. The area surrounding the appeal site is residential in nature, primarily characterised by two-story dwellings and flatted developments set back from the street scene. Whilst the buildings vary in materials and design, the dwellings share a similar two-storey scale which gives the built environment a pleasing continuity. Whilst groups of these dwellings are semi-detached or terraced sharing a close spatial relationship with one another, open areas between these groups give the street scene an attractive spaciousness.
5. The appeal site forms a small fenced off area of land adjacent to the flatted development of Roseway and 77 Stoneyfields Lane (no 77). The site is relatively unobtrusive and in combination with the adjoining vehicular access and car park to the rear, makes a positive contribution to the aforementioned openness of the street scene.
6. The proposal is set over two floors and utilises similar materials and roof pitch to that of no 77, however the use of a basement level would give it the appearance of a single storey dwelling. The proposal would therefore appear incongruous and not in keeping with the scale and form of the surrounding two-storey buildings, harming this existing continuity of the built environment.

7. The proposed dwelling would be notably taller than the existing fencing bounding the appeal site, eroding the separation between no 77 and Roseway, and harming the open character of the street scene. The proposal would be set back from the highway and introduce landscaping to the front elevation. Nevertheless, this would not sufficiently mitigate its discordance with the scale of the surrounding built environment and reduction in openness between no 77 and Roseway.
8. Accordingly, the proposal would conflict with Policy D3 of the London Plan, Policies CS1 and CS5 of the Barnet Local Plan Core Strategy Development Plan Document (2012), and Policy DM01 of the Barnet Local Plan Development Management Policies Development Plan Document (2012), which when read together require new development to achieve high standards of design by preserving local character and respecting the scale and pattern of surrounding buildings.

Other Matters

9. I note the appellant's concerns regarding the potential vulnerability of the existing site to fly-tipping and being generally unattended. Whilst the proposal may mitigate these, the benefits would not outweigh the above identified harm to the character and appearance of the area.
10. The Appellant has discussed how the proposed scheme would address the Inspector's identification of the area's key characteristics within a previous appeal decision on the site. However, although the proposal follows the front building line of no 77 and includes a landscaped front garden, this alone does not allow the scheme to comply with the area's character.
11. The appellant has drawn my attention to a similar development on a plot of a comparable size to that of the proposal. Nevertheless, this development does not form part of the surrounding character of the appeal site. Furthermore, I cannot be certain that the same considerations were involved in this development and only limited weight is attached to this as each case must be considered on its own merits.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, the proposed development would not accord with the development plan, when taken as a whole, and I recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Ben Plenty

INSPECTOR