



Appeal Decision

Site visit made on 28 August 2024

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2024

Appeal Ref: APP/N5090/D/24/3344147

171 The Vale, Childs Hill, Barnet, London NW11 8TL.

- 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 Khalifeh against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 23/4083/HSE.
 - The development proposed is front boundary treatment to semi detached dwelling
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has referred to an emerging Local Plan, but has not provided specific policies. I have determined this appeal using policies from the adopted development plan.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on a) the character and appearance of the host property and the surrounding area, and b) highway and pedestrian safety.

Reasons

a) Character and appearance

4. The appeal property at 171 The Vale lies on the northern side of The Vale. Between the A41 Hendon Way and Claremont Road, semi-detached two-storey houses and semi-detached bungalows of repeated designs line The Vale. Housing is set behind front gardens, many of which are used for off-street parking. Boundary treatments are varied and include hedging, low brick walls, timber fencing, and higher walls and piers, with and without metal railings.
5. At No 171, the two-storey semi-detached house has a paved front garden which is surrounded by white rendered boundary walls and piers, with black metal railings and gates backed by grey metal sheeting. These walls, piers, railings and gates do not benefit from planning permission.
6. The proposed development would include white rendered walls and piers to a maximum height of 1.8m with metal railings and gates of no greater than 1.8m in height. There would be no grey metal sheeting behind the railings.
7. Some properties along The Vale have tall piers, boundary walls and railings. However, most of these properties are concentrated near the A41 Hendon Way,

with more isolated examples nearer to No 171. Where they appear, they generally lack coherence with the understated residential properties. Given the prevalence of hedging and low brick walls close to No 171, the height, design and siting of the proposed development would be jarring and incongruous. With most nearby frontages' relatively open nature, the proposed development would be dominant, unsympathetic, and would visually sever the host property from the locality.

8. The appellant considers that the pleasant, yet unremarkable streetscene offers sufficient diversity to allow capacity to differentiate between private and public space. However, the proposed development would fail to respect the appearance, height and pattern of local boundary treatments.
9. In conclusion, the proposed development would have a harmful effect on the character and appearance of the host property and the surrounding area, contrary to Policy D3 of the London Plan (2021) (LP), Policy CS5 of Barnet's Local Plan Core Strategy (2012) (CS), Policy DM01 of Barnet's Local Plan Development Management Policies (2012) (DMP), and the Residential Design Guidance Supplementary Planning Document (2016) (SPD), insofar as they deal with design and protecting and enhancing character.

b) Highway and pedestrian safety

10. Close to No 171, the single carriageways on The Vale are separated by a grassed area. The road alignment allows for left or right turns out of No 171 after crossing the wide pavement. The proposed development would include a sliding gate to allow for access and egress of vehicles.
11. Given the pavement's width, it would be possible for a car to turn in or out of No 171's front garden without undue effect on cars and cyclists using the road. However, the same cannot be said of pedestrian movements. Although one would expect a car exiting to be at a low speed and the railings would allow some intervisibility, the proposed piers' height, design and siting would unduly restrict visibility splays for vehicles exiting No 171. This would increase the risk to pedestrian safety.
12. I conclude that the proposed development would have a harmful impact on highway and pedestrian safety, in conflict with LP Policy T4, DMP Policies DM01 and DM17 and the SPD. These policies and SPD deal with the effect of development on highway and pedestrian safety.

Other Matters

13. Reference has been made to the National Planning Policy Framework, with importance placed on sustainable development, the development plan's statutory status, and design. This does not alter my conclusions.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Joanna Gilbert

INSPECTOR