



Appeal Decision

Site visit made on 26 September 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2024

Appeal Ref: APP/N5090/W/24/3345665

72 Netherlands Road, New Barnet, Barnet EN5 1BS

- 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 Ola Kunle against the decision of the Council of the London Borough of Barnet.
 - The application reference is 23/3364/FUL.
 - The development proposed is the erection of a new 2-bedroom single storey additional dwelling on land adjacent to 72 Netherlands Road EN5 1BS.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The appeal property is 2-storey semi-detached dwelling that stands to one side of a prominent corner plot at the junction of Netherlands Road and Holyrood Road. It falls within a predominantly residential area wherein buildings vary in scale, design and general appearance. Consequently, there is some variety to the existing built form in the local area to which the site belongs. No 72 is not a listed building nor is it located within a conservation area.
4. The proposal is primarily to erect a detached single storey dwelling within the side garden of No 72. The site would be subdivided between the existing and new dwellings, with each served by a new vehicle crossover to enable off-road parking. Due to its modest scale and height, the new addition would contrast with the taller and more substantial buildings that address Netherlands Road and Holyrood Road, with which the proposal would be seen. In views from these roads, the visual effect of the appeal scheme would be unconvincing because the new dwelling would appear unusually diminutive among the mainly 2-storey built form that characterizes this part of the local area.
5. The considerable size of the new building, coupled with its hipped roof design, fenestration and position within a self-contained plot with separate access and parking arrangements would also clearly differentiate the proposal from an outbuilding typically found in a residential garden setting. As a result, the completed development would have an awkward, uncertain presence in the local street scene.

6. In addition, a substantial new built form would be introduced into partly undeveloped garden space that, at present, makes a positive contribution to the local area. It does so by adding to a sense of openness next to the junction notwithstanding the partial enclosure of the site by a timber fence. It also establishes a clear visual break between existing built form and the road. Having viewed the site from the adjacent highways I have little doubt that the new building would curtail views into and across the site from the adjacent roads and significantly erode the spacious feel in the streetscape.
7. The proposal would also occupy a significant part of the site with a front corner of the new building that would be close to the adjacent footway. There would also be a narrow gap between the proposed dwelling and the 2-storey flank wall No 72. With limited space on 2 sides, I share the Council's concern that the proposal would appear to occupy a restricted plot, and the layout would be perceived as cramped even with good-sized gardens to both the front and rear.
8. For all these reasons, the appeal scheme would appear as a visually disruptive and uncharacteristic intrusion into partly open garden space. This impression would be most pronounced on the immediate approach to the site along Netherlands Road, in both directions. In reaching these conclusions, I note that the proposed front elevation would be slightly set back from the main front wall of No 72. There would also be a set back from the site's side boundary in line with the minimum distance advised in the Council's Supplementary Planning Document (SPD) Residential Design Guidance. The external materials to be used would also match those of the host building.
9. A tall fence could be erected around the site's boundaries that would remove the side garden from public view and diminish the sense of openness around one side of the adjacent junction. However, the new dwelling, would be noticeably taller and more substantial in-built form than a boundary fence. Consequently, the appeal scheme would have a greater and more imposing visual presence in the streetscape.
10. Reference is made to several examples of buildings close to the boundary of their plot with some photographs and information provided. I have carefully considered each of these cases, some of which include corner plots particularly 24 Netherlands Road, to which the appellant places some reliance. However, none occupy the same local street scene as the site nor involve a stand-alone single storey dwelling on a prominent corner plot, as proposed. As these cases are not directly comparable with the appeal scheme, I am unable to attach more than limited weight to them in support of the appeal. In any event, each development should be assessed on its own merits, which I have done.
11. On the main issue, I conclude that the proposed development would materially harm the character and appearance of the local area. Accordingly, it is contrary to Policy D3 of The London Plan, Policy CS5 of Barnet's Local Plan (Core Strategy) and Policy DM01 of Barnet's Local Plan (Development Management Policies). These policies aim to ensure that new development represents high quality design, preserves or enhances local character and respects local context. These principles underpin the advice within the Council's SPDs, Residential Design Guidance and Sustainable Design and Construction with which the proposal would also conflict.
12. I note that the proposal was substantially amended in the light of a previous scheme to introduce a new 2-storey dwelling on the site that was also refused

planning permission. Once complete, the proposal would add to the supply and choice of housing on a small accessible site and make efficient use of underused land, which are all encouraged in policy terms. The new dwelling would be energy efficient and it could provide accommodation for the less mobile or the elderly. A bird box would also be provided within the site to promote biodiversity. However, these considerations do not outweigh the significant harm that I have identified in relation to the main issue.

13. Interested parties raise additional concerns in relation to the effect of the proposal on vehicle parking, light and highway safety. I have considered these matters along with all the submitted evidence. However, given my findings on the main issue, these considerations have not been critical to my decision.

Conclusion

14. The proposed development would conflict with the development plan. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR