



Appeal Decision

Site visit made on 10 December 2024

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/N5090/W/24/3344097

26 Beaufort Gardens, Hendon, Barnet, London NW4 3QP

- 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 Dr Mohammad Dehabadi against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/0349/FUL.
 - The development proposed is garage extension and conversion to a separate dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether or not adequate living conditions would be created for future occupants of the proposal, with reference to outlook and the amount of private amenity space.

Reasons

Character and appearance

4. The appeal site comprises a modest, detached garage at the rear of 26 Beaufort Gardens (the host property). The host property occupies a corner plot position at the junction with Cheyne Walk in a residential area. The area is characterised by large two storey houses with generous rear gardens.
5. The existing garage fronts Cheyne Walk and is sited next to the rear boundary of a neighbouring property, 23 Denhurst Gardens (No 23). No 23 has a large single storey outbuilding within its rear garden, set behind a boundary fence and wall, as well as a pedestrian gate.

6. The increased size of the proposed building would result in it being visually prominent along the road. Also, the sub-division of the appeal site and the introduction of a self-contained single storey dwelling into a street scene which is dominated by two storey properties would not be in keeping with the architectural character of the area. Therefore, the proposal would result in an inharmonious development within the street scene, which would be at odds with the prevailing pattern of development along the road.
7. Furthermore, the increased size of the proposal and its juxtaposition with the site boundaries, and the neighbouring outbuilding, would appear cramped within the context of the site and its surroundings. In addition, the front elevation of the proposal, with only one small window, lacks visual interest. As a result, it would have a stark, incongruous appearance within the street scene.
8. For the collective reasons outlined above, I conclude on this main issue that the proposed development would be harmful to the character and appearance of the area. Therefore, the proposal would fail to accord with Policy DM01 of Barnet's Local Plan Development Management Policies (DMP) September 2012, and Policy CS5 of Barnet's Local Plan Core Strategy (CS) September 2012, which, together and amongst other things, seek to secure high quality design which preserve and enhance local character and distinctiveness.

Living conditions

9. Internally, the proposal would provide functional space for a bedsit, which comprises a bedroom, a shower room, and an open plan dining / lounge and kitchen. A small, contained area of outdoor amenity space is also proposed.
10. The open plan dining / lounge and kitchen is a generous space, but it would only be served by two modest windows and a glazed door. Likewise, the bedroom would be served by a small window and a half-glazed door.
11. The juxtaposition of the proposal next to the boundaries of the site would result in a limited amount of space around the building and all of the proposed windows would primarily have an outlook towards a solid wall or fence within close quarters. Therefore, this would result in an oppressive and poor outlook from these windows.
12. While a small patio area is proposed at the rear, next to a cycle store, which would provide a small private space for sitting out and drying clothes, the space is contained by boundary treatments and walls of the appeal building and the neighbouring outbuilding. As a result, the benefits of this area as outdoor amenity space for future occupants, in the context of a residential area, would be limited.
13. For the above reasons and on the evidence before me, I conclude that adequate living conditions would not be created for future occupants of the proposal, with reference to outlook and the amount of private amenity space. As such, the development would not be in accordance with Policies DM01 and DM02 of the DMP and Policy CS5 of the CS, which together, and amongst other things, seek high quality design that provides adequate outlook and appropriate outdoor amenity space.

Other Matters

14. The re-use of the building and the creation of an additional dwelling in an accessible urban area, with unrestricted parking available on the road, would contribute to boosting the supply of new housing, as referenced in the Framework. There would also be social and economic benefits to local services during the construction and occupancy phases. However, the benefit of one dwelling in boosting housing supply in the area would be limited.
15. While the appellant suggests that the proposed development would not encroach into the rear garden of the host property, the submitted plans illustrate that there would be some loss of garden land. Nonetheless, on the evidence before me and my own observations, an adequate level of private amenity space would remain for the host property. Even so, this matter neither weighs for or against the proposal.
16. Consequently, taking the above matters into consideration, the benefits would not outweigh the identified harm that would be caused to the character and appearance of the area and the inadequate living conditions for future occupiers.

Conclusion

17. For the reasons given above, I conclude that the proposed development would conflict with the development plan as a whole. I have found no other material circumstances that would outweigh that conflict. As such, the appeal should be dismissed.

N Bromley

INSPECTOR