



Appeal Decision

Site visit made on 17 December 2024

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL**

an Inspector appointed by the Secretary of State

Decision date: 16th January 2025

Appeal Reference: APP/N5090/D/24/3353310

43 Rasper Road, Whetstone, Barnet, London N20 0LU

- 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. F. Traynor against the decision of the Barnet London Borough Council.
 - The application reference is 24/3043/HSE.
 - The development proposed is described in the application form as: “hardstanding located at rear of property providing access onto Friern Barnet Road”.
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Decision

1. The appeal is allowed and planning permission is granted for “hardstanding located at rear of property providing access onto Friern Barnet Road”, at 43 Rasper Road, Whetstone, Barnet, London N20 0LU, in accordance with the terms of the application (reference 24/3043/HSE), subject to the conditions set out in the attached Schedule of Conditions.

Preliminary point

2. The ‘National Planning Policy Framework’ was revised in December 2024 but, in this instance, the issues most relevant to the appeal remain unaffected by the revisions that have been made to it. I am therefore satisfied that there is no requirement to seek further submissions on the revised ‘Framework’, and that no party would be disadvantaged by such a course of action. In this appeal, I have had regard to the most recent version, of course.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

4. The appeal site is located in a built-up residential area of Whetstone. Rasper Road itself is a short street off the High Road (the A1000), mainly lined with terraces of houses that have very small front garden areas which afford limited scope for landscaping in practice, although the footpaths are wide enough to allow for some planting. There is a public open space at Swan Lane, however, and some other open spaces in the vicinity. Rasper Road connects with Sherwood Street but they form part of a small group of streets that link back to the High Road, without providing a through route.

5. Properties at the end of Rasper Road, close to the junction with Sherwood Street, back onto Friern Barnet Lane but there is now no vehicular access from Sherwood Street to Friern Barnet Lane, although a pedestrian link has been maintained. This part of Friern Barnet Lane has frontages that are more typically characterised by larger semi-detached properties, set back from the roadside and affording off-street parking in their front garden areas. Even so, the public highway provides for some on-street parking in places, with cars parked on both sides of the road. Friern Barnet Lane is a through route (the B550) but traffic is not generally fast moving along this stretch of the road.
6. Number 43 Rasper Road is a modest two-storey mid-terrace house on the northern frontage of the street and its small back garden has a rear boundary on Friern Barnet Lane, like its immediate neighbours. At the time of the site visit there were building works in progress on the appeal site and the back garden was being used in connection with the works. It has the potential to provide an attractive small garden, nonetheless.
7. It is now proposed to create a hardstanding at the rear of the property, with a new crossover onto Friern Barnet Road, retaining only a reduced garden area for use by the occupiers of the house.
8. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes providing good standards of accommodation in new development.
9. Policies in the Development Plan also share these basic principles and attention is drawn to Policies in 'The London Plan' (dated March 2021) and in 'Barnet's Local Plan (Core Strategy) Development Plan Document' (dated September 2012) and 'Barnet's Local Plan (Development Management Policies) Development Plan Document' (also dated September 2012).
10. 'The London Plan' is the "spatial development strategy for Greater London" and it includes Policies that are intended to encourage high standards of urban design. Policy D3 promotes good design in broad terms while aiming to make the "best use" of urban land.
11. Policy CS5 in the 'Core Strategy' is aimed at promoting good standards of design that respects local context and distinctive local character, while Policy DM01 in the 'Development Management Policies' likewise seeks to achieve high quality design, including in the consideration of hard and soft landscaping.
12. The Council's 'Local Plan Supplementary Planning Document: Residential Design Guidance' (dated October 2016) is also relevant but it does not have the force of the statutory Development Plan.
13. The proposed new access point off Friern Barnet Lane would interrupt the existing back garden fence at the rear of houses facing Rasper Road, but there are existing crossovers along the road frontages and the new crossover in itself would not be

out of place. Nor would it cause undue interference to passing pedestrian or vehicular traffic, or undue disturbance to neighbours, in its context.

14. The proposed new hardstanding for a vehicle would take up a significant proportion of the existing rear garden but the garden is very small and offers little scope for significant planting that would have a real visual impact on the wider streetscene. In any case, a hard surfaced garden would not necessarily be out of place on this site.
15. I have concluded that the proposed rear hardstanding would not significantly disrupt the pattern of development in the locality nor would it be incongruous in its setting. The proposed development would not cause undue harm to the character and appearance of the surroundings and it would not be in conflict with the Development Plan as a whole. The new hardstanding would provide a benefit to the property, as such, even though the area could continue to be used merely as a private garden space (depending on the householders' own preferences).
16. Hence, I am persuaded that the scheme before me can properly be permitted, subject to conditions and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
17. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity and enforceability. In particular, I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.
18. A condition to require the materials to be used in the surfacing of the new hardstanding to "match those used in the existing building" would be obviously irrelevant, however. The submitted plan showing the hardstanding describes it merely as "permeable paving" and, for the avoidance of doubt, a more appropriate condition has been imposed to require the submission of details of the landscaping of the back garden area, including the hardstanding itself, for approval by the local planning authority, prior to first use of the hardstanding.

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - unnumbered Ordnance Survey site plan (1:1250);
 - unnumbered Ordnance Survey block plan (1:500);
 - drawing number 788/101/- (existing and proposed Ground Floor Plans).
- 3) Prior to first use of the hardstanding hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme approved by the local planning authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives prior written consent to any variation.