



Appeal Decision

Site visit made on 7 January 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

Appeal Ref: APP/N5090/W/24/3350679

27 Greenhill Parade, Weavers, Great North Road, Underhill, Barnet EN5 1EU

- 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 Cetin on behalf of Bay Lounge Ltd. against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/0596/RCU.
 - The development proposed is first floor infill.
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Decision

1. The appeal is allowed and planning permission is granted for first floor infill at 27 Greenhill Parade, Weavers, Great North Road, Underhill, Barnet EN5 1EU in accordance with the terms of the application, Ref 24/0596/RCU, and the plans submitted with it reference; FEB24_2627GHP_01 - Pre-Existing Floor Plan and Pre-Existing Roof Plan, FEB24_2627GHP_02 - Pre-Existing Elevations and Pre-Existing Section, FEB24_2627GHP_03 - As Built Ground Floor Plan and As Built First Floor Plan, FEB24_2627GHP_04 - As Built Ground Floor Plan and As Built Roof Plan, FEB24_2627GHP_05 - As Built Proposed Section and Location Plan, subject to the following condition:
 1. The use of the development hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Preliminary Matters

2. At the time of my site visit, I saw that the development was complete and I have dealt with the appeal on that basis.
3. The appellant submitted amended plans with the appeal. The amended plans provide clarification on the extension by showing it as built which has a larger footprint than the plans considered by the Council. The amended plans were available when the appeal was submitted, and the Council had the opportunity to comment. I am also mindful of the retrospective nature of the appeal proposal which means that interested parties would have been able to assess the proposal as built on the ground. While the extension is shown to have a larger footprint, the amended plans have provided clarity as the development exists on the ground rather than proposed any significant changes to the proposed scheme. Accordingly, I am satisfied that no one would be prejudiced were my decision to have had regard to the amended plans.

Main Issues

4. The main issues are:

- the effect of the development on the character and appearance of the area, and
- the effect of the development on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

5. The appeal site is a public house which is located on the high street which mostly consists of a mix of commercial and retail uses. The appeal site is located at the end of a row of buildings. The ground floor of the building is mostly seating with a large central bar area.
6. There is a stairway towards the centre of the ground floor which gives access to toilets and a staff room which then gives access to the infill extension subject to this appeal. The extension is being used as a managers rest room and consists of seating, a kitchen area and toilet.
7. It is noted from the evidence before me that very little information was provided to the Council during application stage in terms of the use of the extension subject to this appeal. However, the plans submitted with the appeal have clarified its use as a rest area in connection with the use of the building as a public house.
8. The extension is contained within the pre-existing footprint of the building as it is above a previous small section of flat roof. The resulting size, scale and design of the extension relates well to the existing building and is not prominent or overbearing and therefore does not appear out of place in the context of the varied character and appearance of the area.
9. I therefore conclude that the development does not harm the character and appearance of the area. I find no conflict with Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document September 2012 (CS), Policies DM01 and DM02 of Barnet's Local Plan (Development Management Policies) Development Plan Document September 2012 (DM) and guidance contained within the Local Plan Supplementary Planning Document Residential Design Guidance October 2016 (Residential SPD). Amongst other things, these seek to ensure a high standard of design and preserve or enhance local character.

Living conditions

10. The rest area has an external staircase which means it could be accessed without entering the public house, however, it is more likely that the room would be accessed by the public house and staff room. The size of the room is also small and is unlikely to be suitable for any other uses other than the rest area and for this reason is unlikely to be a noticeable change in terms of its use in connection with the public house.

11. I therefore conclude that the development does not harm the living conditions of neighbouring occupiers. I find no conflict with Policies CS1 and CS5 of the CS, Policies DM01 and DM02 of the DM and guidance contained within the Residential Design Guidance. Amongst other things, these seek to ensure that the living conditions of neighbouring occupiers are protected.

Conditions

12. I have considered the Council's suggested conditions in the event I were to allow the appeal. Where necessary, and in the interests of clarity and precision, I have slightly altered them to more closely reflect the advice in the Framework and the Planning Practice Guidance.
13. Condition 1 is required in order to ensure that the use of the development remains ancillary to the use of the main building and is not occupied as a separate unit or dwelling in order to protect the character and appearance of the area and living conditions of neighbouring occupiers.
14. I have not imposed a condition requiring that the materials used in the external surfaces of the building shall match those used in the existing building as the development has already been carried out and the external materials match.

Conclusion

15. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR