



Appeal Decision

Site visit made on 11 June 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Appeal Ref: APP/N5090/W/25/3362709

Flats A-C, 24 Netherlands Road, New Barnet EN5 1BW

- 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 G Penfold against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/4921/FUL.
 - The development proposed is erection of an outbuilding within the rear gardens, associated changes to landscaping, boundary treatments and the onsite parking.
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Decision

1. The appeal is allowed and planning permission is granted for erection of an outbuilding within the rear gardens, associated changes to landscaping, boundary treatments and the onsite parking at Flats A-C, 24 Netherlands Road, New Barnet EN5 1BW in accordance with the terms of the application, ref 24/4921/FUL subject to the following 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 drawing nos BRIEN-P101, BRIEN-OB102, BRIEN-E101, BRIEN-S101 and BRIEN-L101.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. BRIEN-OB102.
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of Flats A-C, 24 Netherlands Road, New Barnet EN5 1BW.

Preliminary Matters

2. The Council of the London Borough of Barnet adopted a new Local Plan on 4th March 2025. The Council has confirmed that the policies from Barnet's Local Plan (BLP) (Core Strategy) Development Plan Document (September 2012) and BLP (Development Management Policies) Development Plan Document (September 2012) referred to in the decision notice have been superseded by policies from the BLP 2021-2036 (March 2025).
3. Appeal decisions must be based on the policies from the development plan prevailing at the time of determination. Policies referred to in the reason for refusal from the BLP 2012, are no longer relevant and are disregarded. The Council have confirmed that the relevant policies from the 2025 BLP are CDH01 and CDH05.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is within a primarily residential area predominantly formed of two storey dwellings albeit a mix of detached, semi-detached and terraces. The host building within the site takes the appearance of a semi-detached dwelling despite its conversion to three flats. Whilst there are general consistencies to the design of dwellings within the area, alterations and additions are frequent to a degree that there is no strict uniformity in appearance.
6. Dwellings are typically arranged in development blocks creating back to back garden arrangements. Outbuildings of varying sizes feature frequently within rear gardens in the surrounding area, some visible in the street scene through gaps in development. The appeal site occupies a corner plot fronting Netherlands Road with its associated garden area adjacent to Calton Road. The rear gardens of neighbouring plots are visible from Calton Road. The neighbouring dwelling in particular features a modestly sized outbuilding at the rear of their garden with a flat roof design.
7. The proposed outbuilding, which would be accessed through gates at Calton Road as well as through the rear gardens of Flats A and C, would have a greater footprint than the existing outbuilding at the neighbouring plot. However, the outbuilding would be set back from the highway edge broadly in line with the front elevation of the neighbouring property at 1 Calton Road. The elevation facing towards the highway would be the narrowest element of the outbuilding, which coupled with the proposed flat roof would reduce the overall prominence of the outbuilding. There would still be visibility of the outbuilding above the boundary fences and gates but not to a degree that the outbuilding would be an obtrusive feature in the street scene or to the wider area.
8. During my site visit, I observed numerous outbuildings of varying scales which are visible in the street scene. These include outbuildings which abut the pavement along Monks Avenue and therefore have a much greater prominence than the proposal would. Whilst I do not have the status of these buildings with regard to planning permission, their prolific frequency has an established impact on the character and appearance of the area. The proposal would not have a materially different effect on this established character of the area.
9. Based on the above, the proposal would have an acceptable impact on the character and appearance of the area. In this respect, it would accord with CDH01 of the BLP which sets an expectation for development proposals to respond sensitively to the distinctive local character of the existing context. It would also accord with Policy CDH05 which, amongst other matters, requires proposals to maintain the appearance of the street scene.

Conditions

10. I shall impose a condition specifying the relevant drawings to provide certainty for all parties. A condition is necessary for materials to match those shown on the drawings to maintain the character and appearance of the area. A condition

requiring the outbuilding to remain ancillary to the main building is necessary to prevent the independent use of the building and to accord with its intended use.

Conclusion

11. For the reasons given above, having regard to the development plan and all relevant material considerations, I conclude that the appeal should be allowed.

L Gardner

INSPECTOR