
Appeal Decision

Site visit made on 11 June 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th June 2025

Appeal Ref: APP/N5090/W/25/3358662

138 Meadway, Barnet EN5 5JX

- 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 Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/3783/FUL.
 - The development proposed is demolition of the existing dwelling and erection of a new three storey building to provide 5no. self-contained flats. Associated refuse/recycling/cycle storage and parking.
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Decision

1. The appeal is dismissed.

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Management Policies) Development Plan Document (September 2012) referred to in the decision notice have been superseded by policies from the BLP 2021-2036 (March 2025). The main parties to this appeal were provided with the opportunity to comment on the new Local Plan in the context of this planning appeal.
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 GSS01, CDH01, CDH04 and HOU03.

Main Issue

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

Reasons

5. The wider area surrounding the appeal site is distinctly mixed-use in character, comprised of residential dwellings, commercial uses including the Queen Elizabeth Girls School adjacent to the site, as well as nearby transport links at High Barnet station. Due to its height and scale, the school is a prominent feature in the street scene. The site is also a short distance from High Street where there are numerous ground floor commercial units with flat accommodation above.

6. Dwellings along Meadway are a mixture of detached and semi-detached properties set within relatively spacious plots of varying design and materials, but typical features include hipped roofs and projecting bay windows. The majority of the dwellings are two storeys in height albeit the adjacent neighbour to the appeal site is three storeys with garages at the lower ground level.
7. There is a notable gradient both within the site and along the road, with the gradient reducing away from High Street. The existing detached, two storey dwelling within the appeal site sits above the highway with a small, grassed area to the front. Building lines along Meadway are relatively consistent albeit there are some discrete variations.

Function

8. The appeal site forms the last residential plot along Meadway before the commercial uses beyond. It therefore sits at a transitional point between the family dwellinghouses along Meadway and the adjacent school and wider commercial uses along High Street. Whilst the school contributes to the character of the wider area, it has a clear and distinct differing function to the residential dwellings and therefore forms a natural edge to the broader uses of the area. The service yard within the school grounds as well as tall boundary trees create a degree of separation between the school building and the existing dwellinghouse. This creates two different, albeit adjacent, character areas with the appeal site being read in the context of the dwellinghouses along Meadway.
9. To replace the existing dwellinghouse with five flats within a three storey building would create confusion to the important distinction between the two established character areas. The proposal would neither correspond to the single family dwellinghouses adjacent, nor to the broader commercial uses in the other direction. Whilst I note that there are flats along High Street, these are physically and functionally divorced from the appeal site to a degree that they do not contribute to the immediate character of the appeal site. I also understand that there are existing flats at 116 Meadway, but these still visually read as a single dwellinghouse being of similar design to the attached neighbour.
10. Despite its positioning in close proximity to other uses, the appeal proposal would cause harm to the character of the area by undermining the residential function of the area, which is predominantly established by detached and semi-detached family dwellinghouses.

Development form

11. Building heights within both the immediate and wider area are not uniform noting the gradient changes and differing functions of the area (the adjacent school in particular is of a significant scale). Cross sections have been provided to demonstrate that the proposal would introduce a stepped height arrangement to buildings gradually falling in line with the gradient of the road. This element of the proposal alone would be acceptable.
12. However, when combined with the overall massing of the building, including its width and number of storeys, the proposal would be an overly dominant feature within its adjacent residential context. Although the neighbouring dwelling also has three storeys, the lower ground floor reads as an undercroft element featuring garages. This gives the impression of it still being a two storey dwelling. To the

contrary, the appeal proposal would have windows across all three storeys which would emphasise its bulk and prominence.

13. The prominence of the building would be further accentuated by the slight set forward in building line. Again, noting that there are some inconsistencies in building lines elsewhere, this factor alone would not be harmful, but in the context of the significantly increased scale of the proposal when compared to other residential buildings in the immediate area, the forward projection would serve to compound the harm.
14. The building would introduce a hipped roof which would respond to the other dwellings along Meadway. However, the overall design of the building would be overly monotonous which would emphasise the contrast between a single family dwellinghouse and flats and further undermine the residential function of the area within which the site is read.
15. Based on the above, I conclude that the development would have a harmful effect on the character and appearance of the area. In this respect, it would be contrary to Policy HOU03 of the BLP (2025) which states that proposals to re-develop larger homes will be supported, provided that they do not have an unacceptable impact on the surrounding character of the area. It would also be contrary to Policy GSS01 of the BLP which seeks the delivery of good design and Policy CDH01 of the BLP which requires proposals to respond sensitively to the distinctive local character of the existing context. In addition, it would be contrary to Policy D3 of the London Plan (LP) (2021) which requires proposals to be of high quality, with architecture that pays attention to detail.
16. The Council have also referred to Policy CDH04 as being relevant to the refusal. However, this policy relates to tall buildings of 8 storeys or 26 metres and above ground level and is therefore not applicable to the appeal proposal before me.

Other Matters

17. The proposal would have associated benefits, namely the delivery of four additional residential units which would partially meet an identified housing need in a sustainable location and include solar panels within the design. It would also optimise the use of a small site which is recognised to be of importance both through the BLP and the LP. There would also be a lack of harm in relation to living conditions or the safe operation of the highway network. Nevertheless, the benefits associated with the proposal are not sufficient to outweigh the harm I have identified to the character and appearance of the area.

Conclusion

18. For the reasons given above, having regard to the development plan when read as a whole and all relevant material considerations, I conclude that the appeal should be dismissed.

L Gardner

INSPECTOR