
Appeal Decision

Site visit made on 1 May 2025

by **N Unwin BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th June 2025

Appeal Ref: APP/N5090/W/24/3358135

61 Greyhound Hill, Hendon, Barnet, London NW4 4JN

- 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 Gholamreza Nikzamir against the decision of the Council of the London Borough of Barnet.
 - The application ref is 24/2476/FUL.
 - The development proposed is described as: Changing use from Family Gym and Storage to Self-contained One bedroom/Studio Flat (Granny house).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The red line boundary includes 61 Greyhound Hill (No 61) and the appellant has indicated that the proposal is solely intended for family use. Nevertheless, the proposal is for a self-contained flat and I have therefore determined the appeal on this basis.
3. Following the refusal of the planning application, the Barnet Local Plan 2021-2036 was adopted in March 2025 (Local Plan). This superseded the saved policies of Barnet's Local Plan Core Strategy Development Plan Document (2012) and Barnet's Local Plan Development Management Policies Development Plan Document (2012). I am required to determine this appeal on the basis of the development plan which is in force at the time of my decision. Parties were aware of the Local Plan and its policies were referenced within the decision notice. As such, I consider there would be no prejudice to any party by considering the development against the relevant parts of the Local Plan. Consequently, this appeal has been determined in relation to the policies contained within the Local Plan.

Main Issues

4. The main issues are the effect of the proposal on the:
 - Character of the appeal site and surrounding area; and
 - Living conditions of the occupiers of No 61 and the future occupiers of the proposal with particular regard to privacy.

Reasons

Character

5. The area is residential in nature and characterised by two-storey properties adjacent to the highway with the rear of these comprising garden areas and outbuildings. The dwellings share a similar relationship to the highway, flanking either side, which gives the built environment a distinctive layout. The appeal site is reflective of this with the front elevation of the dwelling facing the highway and a single-storey outbuilding located to the rear. As such, the arrangement of the appeal site contributes to the character of the area formed by the properties relationship to the highway.
6. The proposal would convert the existing rear outbuilding to a single dwelling, creating a new dwelling to the rear of the properties adjacent to Greyhound Hill. Whilst there would be limited physical alterations to the existing outbuilding, its conversion to a self-contained dwelling would alter the nature of its use with associated comings and goings of occupiers. As such, its set back location behind properties adjoining the highway would appear alien and out of character with the existing arrangement of the built environment, harming the character of the area.
7. The appellant references 65 Greyhound Hill as being converted to flats, however I have not been provided with further details of this and therefore I cannot be sure that the considerations were similar to the appeal before me. Further, the proposal involves the conversion of a separate outbuilding to the rear of the existing property, rather than the conversion of the property itself which would continue to adjoin the highway and reflect the character of the built environment.
8. For these reasons, the proposal would be harmful to the character of the appeal site and surrounding area. Consequently, in this regard, it would conflict with the relevant provisions of Policy D3 of the London Plan, and Policy CDH01 of the Local Plan. When read together these policies require development to enhance and respect local context by responding positively to local distinctiveness through their layout.
9. The proposal would additionally conflict with the Council's Residential Design Guidance Supplementary Planning Document (2016) (the SPD) which, when read as a whole, requires new development to complement the character of the area through its layout and siting.

Living conditions

10. The existing outbuilding is close to the rear elevation of No 61 which contains a number of windows, with a small area of hardstanding separating the buildings. This area of hardstanding is currently divided by a tall fence, separating No 61 from the outbuilding.
11. The proposed living/ dining area and kitchen would include a large glazed double door and modest window within the front elevation facing No 61. The plans submitted do not include any formal boundary treatment between the proposal and No 61 indicating this would be a shared external living area. As such, the relationship between the proposal and No 61 would result in mutual overlooking between the rear windows and shared external living area. This would

unacceptably harm the privacy of the occupiers of No 61 and future occupiers of the proposal.

12. Even if the existing fence separating the outbuilding and No 61 was retained, there would remain direct overlooking between the upper floor windows of No 61 and the living/ dining area and kitchen windows of the proposal. Further, such a boundary treatment close to the ground floor rear windows of No 61 and the front windows of the proposal would appear oppressive and harm the outlook from these openings.
13. For these reasons, the proposal would be harmful to the privacy of the occupiers of No 61 and future occupiers of the scheme. Consequently, in this regard, it would conflict with the relevant provisions of Policy D3 of the London Plan, and Policies CDH01 and CDH07 of the Local Plan. When read together, these policies require new development to deliver appropriate privacy and provide good standards of living conditions.
14. The proposal would additionally conflict with the SPD which, when read as a whole, requires new development to maintain adequate privacy.

Other Matters

15. The proposal would contribute an energy efficient, one-bedroom dwelling to the existing housing stock, replacing the existing outbuilding which the appellant describes as underutilised. I additionally acknowledge the economic contribution of future occupiers to local businesses. Nevertheless, given the small scale of the proposal these combined public benefits would be limited and would not outweigh the above identified harm to the character of the appeal site and surrounding area, and the living conditions of 61 Greyhound Hill and future occupiers of the proposal.
16. The appellant has raised the additional rental income from the proposal. Nevertheless, this is a private benefit and does not weigh in favour of the proposal.

Conclusion

17. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. There are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

N Unwin

INSPECTOR