



Appeal Decision

Site visit made on 27 February 2018

by **Andrew McGlone BSc MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 March 2018

Appeal Ref: APP/N5090/W/17/3190950

16 Lichfield Road, Cricklewood, London NW2 2RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Gabriella Marino against the decision of the Council of the London Borough of Barnet.
 - The application Ref 17/4186/FUL, dated 29 June 2017, was refused by notice dated 29 August 2017.
 - The development proposed is to convert ground floor shop to residential and erect second floor side extension and loft conversion to enlarge 1no existing flat and form new flat within loft.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on: (i) highway safety on Lichfield Road, with regards to the proposed parking arrangement; and (ii) the character and appearance of the host property and the surrounding area.

Reasons

Highway safety

3. The appeal site offers no off-street car parking. Both sides of Lichfield Road are used for on-street car parking. Vehicles park half on, half off the footway. A number of residential properties on Lichfield Road to the north-east of the appeal property have off-street car parking provision for one or two vehicles. I understand the site is on the edge of, but outside of, Controlled Parking Zone's (CPZ) in the London Boroughs of Barnet and Camden. Due to the site's proximity to Cricklewood railway station and a number of bus routes, the site has a Public Transport Accessibility Level (PTAL) of 5. These services can be accessed using lit footways on either side of the road.
4. One off-street car parking space is proposed. The Council consider that two to three spaces are required. However, the appellant accepts that the proposal should provide two off-street car parking spaces, having regard to the PTAL level. In any event, the proposed parking provision does not accord with the standards found in Policy DM17 of Barnet's Local Plan (Development Management Policies) Development Plan Document (Local Plan). This policy sets out that residential development may be acceptable: with limited or no parking outside a CPZ but only where it can be demonstrated through a survey

that there is sufficient on street parking capacity. Before turning to the appellant's Parking Stress Survey (PSS), 2011 Census Data indicates that 57% of residents in flats do not have ownership of a car, with 36% of flat residents owning one car and with only 6% having two cars per household.

5. Despite this, the PSS shows, despite the level of daytime parking in the area, a high level of parking stress on Lichfield Road, Westcroft Way and Marnham Avenue during evening hours when typically most residents are at home. Thus, residents do use vehicles despite the PTAL level. The high level of parking stress is also at a time when the existing retail store would be closed, thereby negating any potential trade-off of parking demand. While, parking was not as subscribed in Westcroft Close, signs indicate that the close is limited to private parking and is the subject to permits. Hence, despite on the availability of five spaces on both of the surveyed evenings, the availability of these spaces on a day-to-day basis is far from certain. Given the high use of the west side of Lichfield Road between Cricklewood Road and Westcroft Close, it is reasonable that residents would look to use the limited availability on the east side of the road or the similar limited availability on other roads nearby.
6. Consequently, vehicles associated with the proposal would add to the demand for on-street car parking in an area already well-used. Thus, not every vehicle is likely to be accommodated during the evening when the majority of residents are at home. This would result in overspill parking on the nearby highway network and potentially lead to problems such as: restricted views for drivers and pedestrians; visibility at junctions due to parked vehicles; obstruction of crossovers; and obstruction of emergency service vehicles and buses. The cumulative effects on the safety of highway users could, as a result, be severe.
7. Consistency in decision-making is needed. However, the scheme at 14 Lichfield Road (Ref: 17/3880/FUL) met the requirements of Local Plan Policy DM17, and the evidence before me also indicates that the units inside No 14 are not the same as those proposed.
8. I conclude that the proposal, on this issue, would significantly harm highway safety on Lichfield Road, with regards to the proposed parking arrangement. As such, the proposal would not accord with Policy CS9 of Barnet's Local Plan (Core Strategy) Development Plan Document (Core Strategy), Local Plan Policy DM17 and paragraph 32 of the National Planning Policy Framework (the Framework). Together, these seek, residential development to provide parking in accordance with the standards, unless it can be demonstrated that there is sufficient on street parking capacity to ensure that the local road network operates safely to prevent severe effects.

Character and appearance

9. The appeal property is at the end of a high storey high terrace with a hipped roof. The hipped roof drops down to a flat roof above a two storey side extension. This extension is not set back from the front elevation. A variety of extensions, including dormer windows, are to the rear of the terrace. To the south-east is a two storey high terrace. The surrounding area is characterised by development with a varied character and appearance.
10. Properties in the terrace display a regular width. The appeal scheme would not accord with this regular width, especially given the use of a sole entrance door. Even so, the position of the flank elevation on the ground and first floors would

not change. Moreover, the proposed ground floor bay window and the first and second floor window openings would help assimilate the side extension into its context and improve the character of the terrace, especially given the removal of the existing shop front and its front extension.

11. The Council are concerned with the lack of subordination. However, the Supplementary Planning Document: Residential Design Guidance (RDG) does express that this is done 'normally' rather than universally. The proposed side extension would not be set back from the front elevation. However, despite the additional floor and the extended roof form, the proposal would result in a more harmonious appearance compared to the existing extension. As such, notwithstanding the visibility of the extension from Lichfield Road and neighbouring residential properties, it would respond to the distinctive local building forms and respect the scale, massing and height of the surrounding physical context, especially the terrace which it would form part of. The extension does not therefore need to be subordinate on this occasion.
12. The rear extension would be subordinate to the host property. While a flat roof form would be used, this would lessen its bulk. The extension would also be set in from the flank elevation of the property, thereby limiting its effect on the character and appearance of the surrounding area when viewed from the road, Marnham Avenue and Westcroft Way. Even though it would be visible from adjoining residential properties, the extension would be viewed against the backdrop of the terrace and a number of rear extensions. This part of the scheme would not therefore harm the character and appearance of the host property or the surrounding area.
13. I note the parties refer to an enforcement case about the shop, but I have considered the proposed development on its planning merits.
14. While the proposal would not reflect the width of neighbouring properties in the terrace as sought by the RDG, this conflict is outweighed for the reasons that I have set out above. I therefore conclude, on this issue, that the proposal would accord with Local Plan Policy DM01, Core Strategy Policy CS5 and the RDG; which mutually seek high quality design that respects local context and distinctive local character in terms of appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Conclusion

15. I have found no harm from the appeal scheme in relation to character and appearance. This does not outweigh, however, the harm that I have found in relation to the scheme's impact upon highway safety.
16. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR