



Appeal Decision

Site visit made on 10 October 2011

by Anthony Lyman BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2011

Appeal Ref: APP/N5090/A/11/2155877

1-10 & 11-19 Silkstream Parade, Watling Avenue, Edgware, HA8 0EL

- 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 Starprop LLP against the decision of the Council of the London Borough of Barnet.
 - The application Ref H/01013/11, dated 19 January 2011, was refused by notice dated 4 May 2011.
 - The development proposed is a new storey above existing residential units to include 5 No. 1 bedroom units at No. 1-10 Silkstream Parade and 4 No. 2 bedroom units at No. 11-19 Silkstream Parade.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are, i) whether the proposed development would preserve or enhance the character or appearance of the Watling Estate Conservation Area, ii) whether the proposal would make reasonable provision to mitigate its impact on local infrastructure and services in accordance with adopted policies.

Reasons

Character and appearance

3. Silkstream Parade comprises two terraces of retail units facing each other on opposite sides of Watling Avenue. The upper floor of each building is recessed behind the retail frontage and contains residential flats. The proposal is to erect an additional storey on each building to house a total of nine new flats.
4. The Watling Estate Conservation Area Character Appraisal Statement identifies the buildings as being amongst the most noteworthy in the area, being Art Deco-inspired in design. Although the buildings generally have a neglected appearance with substantially altered retail frontages, the upper levels and the staircase towers retain many attractive original design features. With their well balanced proportions the buildings make a significant contribution to the character and appearance of the Conservation Area.
5. The proposed upper floor to each block would be further recessed to reflect the existing design and would incorporate many of the design features and materials which characterise the original buildings. The proposals are similar in design to previous schemes relating to one or both blocks which have been dismissed on appeal for specific reasons. However, both previous Inspectors

considered that the design of the proposed development would be acceptable in relation to the building and the Conservation Area, and I have no reason to disagree with these views. The recessed upper floor and the modest stair towers would not significantly detract from the setting of other noteworthy buildings such as the nearby church and Burnt Oak library. The intention would be to restore other parts of the buildings to a similar standard and I conclude that the proposal would make a positive contribution to the street scene and would enhance the character and appearance of the Conservation Area. The development would satisfy the objectives of Policies GBEnv1, GBEnv2, D2, HC1, HC15 and HC16 of the London Borough of Barnet Unitary Development Plan.

Local infrastructure and services

6. The Council has adopted a number of up to date Supplementary Planning Documents (SPDs) relating to planning obligations to secure contributions for infrastructure and local services on which there would be increased demand as a result of a development. The SPDs set out how the additional demand for the particular service would be calculated, the level of existing facilities and their capacity, the calculation of the contribution necessary and the use that would be made of the funds. In this case, contributions are sought towards educational needs, library services and health facilities and I am satisfied that they meet the statutory tests set out in the Community Infrastructure Levy Regulations. However, the Council also require a small contribution towards associated monitoring costs. Such costs have no obvious support in Circular 5/2005 – *Planning Obligations*.
7. The appellant has expressed a willingness to discuss contributions with the Council. However, there is no completed obligation before me. Therefore, I have no mechanism to secure the contributions necessary to mitigate the impact of the development on these services in accordance with the SPDs.

Other matter

8. Concern has been expressed about the possible adverse impact of proposed flats above 1-10 Silkstream Parade on the nearby residential properties in Park Croft. This was one of the reasons for the dismissal of a previous appeal. However, in the scheme before me, these flats have been recessed from the rear elevation of the building by about 1.9m and I am satisfied that this set back would be sufficient to reduce significantly any harm to the living conditions of the neighbours with regard to overshadowing and loss of light.

Conclusion

9. The nine new flats would make more efficient use of the existing site in a highly sustainable location adjacent to excellent transport links. Furthermore, the redevelopment and renovation of the buildings would make a positive contribution to the street scene and enhance the character and appearance of the Conservation Area. However, the proposal would increase demand on local services, for which no mitigation has been secured. Therefore, for this reason alone, the appeal must fail.

Anthony Lyman

INSPECTOR