

282 Finchley Road, London, NW3 7AD
Enforcement Notice EN21/1029
Grounds of Appeal

- a) That planning permission should be granted for what is alleged in the notice.

The outbuilding is well designed, of modest height and scale and constructed of attractive traditional materials. The Council claim that it detracts from the nature conservation, biodiversity and amenity value of the rear garden is challenged. The Council's further claim that the outbuilding fails to reduce the risk of flooding is further challenged. Consequently, it is the appellant's position that the outbuilding does not conflict with policies A1, A2, A3, CC2, CC3 and D1 of the Local Plan and policies SD2, SD4, SD5 and BGI 1 of the Neighbourhood Plan.

- b) The size, design and siting of the outbuilding does not detract from the character and appearance of the application site and the wider area, nor from the adjacent Redington Froggnal Conservation Area, and is not in conflict with the aims of policies D1 and D2 of the Local Plan and SD4 of the Neighbourhood Plan.
- c) The outbuilding, by virtue of its size, design and siting, does not detract from the character and appearance of the application site, nor the wider area, including the Redington Froggnal Conservation Area and therefore does not contravene the aims of policies D1 and D2 of the Local Plan nor policy SD4 of the Neighbourhood Plan.
- d) The outbuilding does not cause unacceptable harm to trees, and is not therefore contrary to the aims of policies A3 of the Local Plan and BGI 2 of the Neighbourhood Plan.
- e) The outbuilding does not generate unacceptable noise and vibration impacts and therefore is not contrary to the aims of policies A1 and A4 of the Local Plan.
- f) It is not accepted that by virtue of the size, design and siting that the outbuilding causes unacceptable harm to the amenity of surrounding residential occupiers by way of loss of visual privacy, overlooking and loss of outlook. It is therefore not in conflict with policies A1 and A4 of the Local Plan and policies SD4 and SD5 of the Neighbourhood Plan.
- g) It is not accepted that the facilities for active cooling of the outbuilding has failed to minimise carbon dioxide emissions contrary to policies CC1 and CC2 of the Local Plan and policy SD1 of the Neighbourhood Plan.