

Appeal Decision

Site visit made on 21 November 2016

by Clive Tokley MRTPI

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

Decision date: 4 January 2017

Appeal Ref: APP/N5090/D/16/3159379
62 Buckingham Avenue, London, N20 9DH.

- 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 Mr Chris Christofi against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/3235/HSE dated 17 May 2016 was refused by notice dated 15 July 2016.
 - The development proposed is first floor side and rear extensions
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. When I visited the site I saw an unfinished dormer extension in the south west plane of the roof. This was not shown on any of the drawings and I noted a number of other inconsistencies between what I saw at my site visit and the drawings "as existing". I also identified inconsistencies and omissions within the drawings of the proposal that were considered by the Council and submitted as part of the appeal. These included two different roof treatments for the rear extension.
 3. In order to clarify what was proposed I raised this matter with the appellant and the Council. The appellant did not clarify which of the originally submitted drawings represented his proposal but instead submitted a full amended set of drawings. The Council has been given the opportunity to comment on those drawings but they have not been the subject of statutory publicity.
 4. The Council has indicated that its consideration of the proposal was based on the originally-submitted drawing No 416/4. This drawing is dated April 2016 and in my view it was reasonable for the Council to prefer this drawing to the alternative elevation drawing dated October 2015. Drawing No 416/4 is incomplete and is inconsistent in its depiction of the front and side elevations. Setting those matters aside, and taking careful account of the "cut lines" on the drawing, I conclude that drawing No 416/4 shows a "table top" hipped roof two-storey side extension projecting beyond the first floor rear wall of the host dwelling. The hipped roof extends only as far as the first floor flank of the dormer and does not extend across the rear of the dormer. The drawing
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indicates that a vertical wall would project at right angles to the rear of the dormer and beyond that wall the first floor rear extension would have a flat roof.

5. The elevations drawing 416/4 does not relate to any of the roof plans and no floor plan of the top floor has been submitted. As indicated in that drawing the existing double doors in the rear dormer would open out onto the flat roof of the extension. The Council's suggested condition that would prevent the use of the flat roof as a balcony is consistent with my interpretation of the proposal.
6. The amended drawings (numbered 412/1, /2, /3 and /4) include elements of the originally-submitted drawings and there remain inconsistencies and inaccuracies within the drawings. However the amended drawings indicate that the hipped roof of the extension would extend across the full width of the first floor rear extension. The drawings show no windows serving the proposed roof-level master bedroom apart from the existing window in the dormer.
7. The amended drawings indicate a bulkier proposal as compared with the originally submitted drawing No 416/4. In my view the amended drawings are materially different from those the subject of the Council's decision and the statutory notification of nearby residents. I consider that my determination of the appeal based on those drawings may be prejudicial to the Council and to the occupiers of neighbouring dwellings.
8. I have therefore concluded that my decision should be based on drawing number 416/4.

Main Issue

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

Reasons

Character and appearance

10. In the vicinity of the appeal property Buckingham Avenue is fronted by a range of mainly detached and semi-detached houses. No 62 (with No 60) forms one of two distinctively-designed contrasting pairs of semi-detached houses to the east of the junction with Friern Mount Drive. Both pairs have prominent front gables with steeply-pitched roofs but they have little else in common. Numbers 60 and 62 have a restrained "Arts and Crafts" air about them with decorated brickwork in the front elevations and brick corbels supporting flared eaves.
11. Apart from a conservatory to the side No 60 appears to be un-extended; however the appeal property has been the subject of a number of additions including a "wrap around" side/rear ground floor extension and a full-width rear box dormer that merges into a side-facing gable that has been added to the east-facing roof plane. This part of the side elevation is not correctly depicted on the "existing" elevations.
12. When approached from the south west along Buckingham Avenue the pair of houses containing the appeal property is prominently in view on the outside of a shallow curve. From this direction the alterations at the rear of No 62 cannot be seen and apart from the replacement windows the symmetry of the pair is

maintained. When viewed square-on from the road the rear dormer/side gable of no 62 (with the unfinished side dormer in front of it) is apparent; however from the front these additions cannot be seen in conjunction with the side of No 60 and in my view they do not unbalance the appearance of the pair.

- 13.No 62 is positioned forward of No 64 and this, combined with the width of the gap between the buildings, results in the flank wall and roof plane of the appeal property being visible for some distance along Buckingham Avenue. From this direction the side-facing gable and its seamless continuation into the flank of the rear dormer are clearly in view. These additions fail to reflect the character of the host dwelling and detract from the character and appearance of both the house and the immediate area. The bulk and position of the unfinished dormer contributes further to the incongruity of the additions to this part of the dwelling when seen from Buckingham Avenue.
- 14.The front wall of the side extension would be set back 3.2m from the front wall of the front gable and the "table-top" roof of the proposal would be lower than the main roof of the dwelling. When seen from the front the proposed extension would appear subservient to the host dwelling and would share its steeply-pitched roof planes and flared eaves. Oblique views from the east would reveal the depth of the two-storey flank which would continue to the rear of the existing first floor. However the set back of the front wall and the lower roof line would distinguish the extension from the existing dwelling and it would rationalise the jarring appearance of the side gable and rear dormer when seen from the street.
- 15.The submitted drawing (No 416/4 front elevation) suggests a full-height sideways-facing gable in the host dwelling; however this does not appear in the proposed side or rear elevations. The elevations within the amended drawings also contain inaccuracies; however they do not include the high level side projection. If I was minded to allow the appeal I consider that this inaccuracy of the original drawings could be remedied by a planning condition.
- 16.Subject to appropriate detailing I consider that when seen from the street the benefit to the appearance of the dwelling would outweigh the presence of the additional bulk of the extension.
- 17.The rear of the pair of semis has already been significantly unbalanced by the rear extension and large dormer at the appeal property and, in contrast with the front, the original form at the rear of the pair of semis no longer exists. The return flank wall of the extension projecting back from the dormer combined with the flat roofed part of the two-storey extension would introduced further contrasting elements that would add to the already disjointed appearance at the rear of the house. The back of the house is not seen from the street but it can be seen from a number of back gardens from where the proposal would be an intrusive and incongruous addition to the rear of the house. I consider that the confusion of forms arising from the proposal would materially and unacceptably detract from the character and appearance at the rear of the houses.
- 18.I noted the two-storey flat-roofed addition and dormer at No 68 but these do not persuade me that the proposal would be acceptable.
- 19.I consider that the proposal would conflict with the objectives of the Council's *Residential Design Guidance* SPD and would conflict with Policy DM01

(Protecting Barnet's character and amenity) of the *Local Plan Development Management Policies 2012* (DMP) and Policy CS5 (Protecting and enhancing Barnet's character to create high quality places) of the September 2012 *Core Strategy*. It would also conflict with one of the core planning principles set out in the National Planning Policy Framework which indicates that planning should always seek to secure high quality design.

Other matters

20. Residents have expressed concern about development that has been carried out at the appeal property in recent years but my decision is based on the merits of the proposal before me and has not been influenced by those matters.

Conclusion

21. Taking account of all matters I have concluded that the proposal would unacceptably detract from the character and appearance of the area and that the appeal should not succeed.

Clive Tokley

INSPECTOR