

# Appeal Decision

Site visit made on 27<sup>th</sup> March 2017

**by Alison Roland BSc DipTP MRTPI**

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

**Decision date: 24<sup>th</sup> April 2017**

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**Appeal Ref: APP/N5090/D/17/3167992**

**22 Kenilworth Road, Edgware, London, HA8 8YG.**

- 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 F Rozsival against the decision of the Council of the London Borough of Barnet.
  - The application Ref: 16/5585/HSE, dated 20 August 2016, was refused by notice dated 4 November 2016.
  - The development proposed is ground floor and first floor rear extension, new porch and 5 No roof windows to front roof slope.
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## Procedural Matter

1. The description of the proposal cited in the header above is derived from the planning application forms. I consider a more accurate description is as follows: Part single, part two storey rear extensions, including modification of hipped roof to gable roof, front porch and five roof lights to front elevation.

## Decision

2. The appeal is dismissed.

## Main Issues

3. The main issues in this appeal are the implications of the proposal for (1) the character and appearance of the area and (2) the living conditions of occupiers of No 24 Kenilworth Road by virtue of the potential for overbearing, visually obtrusive effects.

## Reasons

4. The appeal proposals and particularly the hip to gable roof alteration would as the Council assert, unbalance this pair of modest semi-detached bungalows. However, the appeal property is seen in the context of other similar bungalows nearby, several of which have implemented similar hip to gable extensions, some on one of the pairs of semis and some on both pairs. This, together with the fact that individual homeowners have implemented a series of other extensions and alterations, means that there is not a particularly strong sense of unity between the pairs of bungalows along the street. In this context, the proposal would not look out of place.
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5. I accept that the extent of additions proposed would add significantly to the massing of what was once a modest bungalow. To that extent, it would not comply with the guidance in the Local Plan Supplementary Planning Document; *Residential Design Guidance* (2016) (SPD), which states that extensions should normally be subordinate to the original house. However, the bulk of the additional volume (aside from the hip to gable) would be to the rear of the property, where it would not be particularly evident from the public domain. Whilst it would be seen from the rear of nearby dwellings, the degree of articulation along the rear and the juxtaposition of the single and two storey elements would ensure that its massing would be broken up and it would not appear discordant. In addition, the fact that the taller two storey element would stand adjacent to the side of No 20 Kenilworth Road which is a conventional two storey dwelling, would ensure that this particular element would not appear unduly dominant.
6. For these reasons, I conclude on the first main issue that the proposal would integrate satisfactorily with the design of the host property and wider character and appearance of the area. I thus find no conflict with Policy DM01 of Barnet's Local Plan Development Management Policies Development Plan Document (2012), or Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan Core Strategy Development Plan Document (2012). These seek to secure high quality design which respects local context and character and accords with the policies of the Local Plan.
7. I turn now to the second main issue. The two storey gabled element would stand well away from the adjoining property No 24 Kenilworth Road and as such, would have a negligible impact thereon. However, the balance of the development would extend up to the boundary with that property where it would present a blank wall of considerable height at close quarters to its occupants. In particular, the bedroom accommodation above the single storey element would comprise significant additional bulk to the roof, projecting well beyond the rear roof slope. Because of this and as it would stand adjacent to No 24, I consider it would appear visually obtrusive and overbearing relative thereto. This would especially be the case, as it would loom large relative to the rear patio area adjoining that property and also to a lesser extent, a side facing window. I appreciate the occupiers of that property raised no objections to the proposals, but that does not render them acceptable on their planning merits.
8. I thus conclude in relation to the second main issue, that the proposal would be unacceptably harmful to the occupants of No 24 Kenilworth Road by virtue of overbearing and visually obtrusive effects. Accordingly, it would conflict with criterion e) of Policy DM01 which seeks to ensure that development proposals protect the living conditions and outlook of adjoining occupiers and the guidance in the SPD, which similarly seeks to ensure that development does not reduce the amenity value of neighbouring occupiers.
9. The appellant has drawn my attention to two other appeals: APP/G5750/D/15/3139002 and APP/Q5300/D/16/3155771. However, without knowing the full details of those cases and relevant material considerations pertaining thereto, it is impossible to make a meaningful comparison with the appeal before me, which I have determined on its merits.

10. Although I have found in favour of the appeal in relation to the first main issue, this is nonetheless outweighed by the concerns identified in relation to the second. The appeal therefore fails.

*ALISON ROLAND*

INSPECTOR