



Appeal Decision

Site visit made on 12 August 2019

by J Alderman BA(Hons) MA MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 September 2019

Appeal Ref: APP/N5090/D/19/3229779

26 Wickliffe Avenue, Finchley, London N3 3EJ

- 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 and Mrs Malayeri against the decision of the London Borough of Barnet.
 - The application Ref: 19/0125/HSE, dated 9 January 2019, was refused by notice dated 6 March 2019.
 - The development proposed is a single storey rear and three storey side extension to existing dwelling house
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Decision

1. The appeal is dismissed.

Procedural Matter

2. It has been drawn to my attention that concerns have been expressed by an interested party who has questioned the accuracy of some of the drawings and suggests that some details are missing or unclear. However, the information and plans submitted, along with the site visit I undertook are sufficient to provide an understanding of the proposed development and to determine this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and local area.

Reasons

4. Wickliffe Avenue is a residential street leading to Windsor Open Space. It comprises a mixture of property types, including detached, semi-detached and terraced houses and several apartment blocks. The appeal site is located within a distinct rank of white rendered and brick three storey houses with terraced ranks interspersed with semi-detached properties, there are uniform modest gaps between the properties. Due to the gradient of the road, the properties are stepped down from each other. The rank in which the appeal site is located is set back from the road with a green space in front of it.
5. The appeal property (no.26) is a semi-detached, three storey property, with a stepped access to the front door and a retaining wall around the front garden,

reflective of the differing levels. The other property in the pair is no.24 Wickliffe Avenue (no.24). On the other set down at a lower level is 28 Wickliffe Avenue (no.28) with the driveway and garage belonging to the appeal property and the access path to no.28 between the properties.

6. The proposed development would be a rear and side extension. The rear extension would be single storey with a flat roof, wrapping round the side of the house to the front and meeting the new proposed porch. The second and third storeys would be set back from the front elevation, with each storey stepping in from the boundary with no.28. The roof would be pitched in similar style but set below the roofline of the host dwelling.
7. The roofline of the proposed development would only be around 1.5m below the main roof, with the difference being more difficult to distinguish from street level due to the building height. This would not give enough of an impression of a set down between the second storey roofline and that of the host dwelling and would not present a sufficient impression of subordination to the host dwelling.
8. In addition the step design and narrow second storey, which is not a design feature replicated in the surrounding properties, would appear awkward and would be out of place in the street setting. It also creates an incoherence which would sit uncomfortably with the host dwelling. The side extension, therefore would be detrimental to and would harm the character and appearance of the host dwelling and the local area.
9. The Council have no objections to the single storey rear extension, or the proposed porch. I see no reason for any objection to these elements, as they are unobtrusive and accord with their surroundings. However, I am unable to issue a split decision that would relate only to these elements as from the information provided the side extension appears a fundamental part of the proposed development.
10. I therefore conclude that the proposed development would fail to comply with Policy CS1 of the Barnet Local Plan (Core Strategy) 2012, which seeks to ensure high quality urban design and Policy CS5 which requires developments to enhance Barnet's high quality suburbs. It would not accord with policy DM01 of the Barnet Local Plan Development Management Policies, which amongst other things requires development proposals to preserve or enhance the local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Finally it would not follow the guidance in the Residential Design Guidance Supplementary Policy Document (2016) which says that the design and layout of new development should respect the character of the area and should not detract from consistent and coherent architecture.

Other Matters

11. The appeal property has been subject to a number of previous applications and permission has been granted for a two storey extension (ref:18/0142/HSE). A previous planning appeal (ref: APP/N5090/D/18/3201954) considered a similar application to the current appeal for a single storey rear and three storey side extension. The design in this application did not include the stepping in detail at the second storey that would be a feature of the proposed development and has been amended following the previous appeal.

12. This additional stepping in goes some way towards alleviating the concerns expressed by the Inspector that the development would largely block the views to the trees and sky beyond. However, it remains that the introduction of a third storey, even though it is somewhat reduced in size still intrudes into the gap between the host dwelling and no.28 and impacts on the modest space between the properties.
13. The concern as identified in the previous appeal was that the roofline of the proposed development would align closely to that of no.28 creating a terracing effect. The second storey infill, due to its height would still create an impression of a terrace. The appellant has identified that the previous inspector did not fully appreciate that some of the properties within the rank that the appeal site is situated in are terraced. However, the design is such that the terraced ranks are balanced by the semi-detached properties at each end, which is part of the distinct local design.
14. Since the appeal referenced above in respect of no.26 was dismissed, an application for a three storey side extension has been permitted at the adjoining pair of the semi-detached properties, no.24. The appellant has pointed out that this is very similar to that proposed at the appeal property. However, no.24 is at the end of the rank of properties of which the appeal property is a part. It has a different aspect, as the rank of properties next to it, albeit that they are also three storey, are at a significantly higher level and are set forward, so that the three storey extension at no.24 would be much less prominent in the street scene. It would not have the terracing effect that would be of concern at the appeal property.
15. As the designs of the extensions are different, with one having the stepping detail any imbalance in the appearance of the pair of semi-detached properties would not be restored. In any event the fact that apparently similar development has been granted permission is not a reason, on its own, to allow unacceptable development and I have determined the appeal on its own merits.
16. The appellant has provided an explanation of their reasons for needing the extra space provided by the proposed development, this relates to the expansion of their household.
17. I note and sympathise with the personal circumstances outlined by the appellant. However, it is unclear from the evidence provided the degree to which the proposed development would assist the particular needs due to age that have been identified. Moreover, personal circumstances seldom outweigh more general planning considerations and in this case the development would cause harm to the character and appearance of both the host property and the surrounding area.
18. The appellant has drawn my attention to the perceived lack of impact upon the neighbour at no.28 and that this would be in favour of the proposed development. The Council have not identified any adverse effect upon the neighbour as a reason for refusal. Having examined the information provided and acknowledging the concerns expressed by the neighbour at no.28, I see no reason to disagree with the Council's view. However, this is not so significant a matter as to outweigh the harm I have identified as a result of the proposed development.

19. I have considered whether the appeal proposal would be consistent with the social, economic and environmental dimensions of sustainable development, as set out in paragraph 8 of the National Planning Policy Framework 2019. I have found that the proposed development would harm the character and appearance of the area, placing it in conflict with the environmental dimension of paragraph 8. Furthermore, having considered all of the policies drawn to my attention, the visual harm arising from the development leads me to conclude that there is conflict with the development plan as a whole and I find the scheme is not sustainable development.

Conclusion

20. For all the reasons indicated, there are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be refused. Having regard to all matters raised, the appeal is dismissed.

J Alderman

INSPECTOR