
Appeal Decision

Site visit made on 13 August 2019

by Martin Small, BA (Hons), BPI, DipCM, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2019

Appeal Ref: APP/N5090/D/19/3230294

50 Kenerne Drive, Barnet, EN5 2NN

- 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 Lakis Hadjipetrou against the decision of the Council of the London Borough of Barnet.
 - The application Ref: 18/7492/HSE dated 18 December 2018, was refused by notice dated 7 March 2019.
 - The development proposed is a first floor side extension to semi-detached house.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Kenerne Drive is characterised by pairs of semi-detached 2-storey dwellings either side of the road and around a 'bulb' at the top end of the Drive. The gaps between the pairs of dwellings break up and thus provide relief from the built form. Although some of the gaps are narrowed or closed completely by garages or extensions these are predominantly only single storey, thus retaining openness at first floor level. This openness is a significant component of the character and appearance of Kenerne Drive.
4. The proposed development would extend at first floor level across the full width of the existing single storey garage and virtually completely fill the gap between the existing first floor of the appeal property and the existing first floor extension of 52 Kenerne Drive. Although the properties would not be physically attached, the remaining gap between them would be so reduced that they would form an effective wall of development. This would be out of keeping with the prevailing character of Kenerne Drive.
5. The Council adopted Residential Extension Guidance in 2016 which advises that where gaps between houses are a common feature of a street, proposed side extensions which close such gaps or create a terracing effect are likely to be rejected. The proposed development would not accord with the advice in the Guidance that side extensions should not be more than half the width of the original house and that normally there should be a minimum gap of 2 m between the flank walls of properties at first floor level.
6. The proposed development would accord with the advice in the Guidance that side extensions should be set back from the front main wall of the existing house and have pitched roofs that match the pitch of the main roof and are set down from the ridge of

the main roof. Furthermore, the Guidance is not policy, and it is not necessarily appropriate that its prescriptive advice be followed strictly in every circumstance. Nevertheless, and notwithstanding that from directly in front of the appeal property the gap between it and No. 52 would be visible, the proposed development would result in the terracing effect that the Guidance indicates will not normally be acceptable.

7. The appellant identifies a number of other properties in Kenerne Drive and the wider area with first floor extensions. During my site visit I saw the extensions to the properties identified by the appellant on Kenerne Drive. However, with the exception of 55 and 57 Kenerne Drive, reasonable gaps between the extended properties still remain. For Nos. 55 and 57, the properties extend towards each other resulting in a very small gap between the properties and a perceptual wall of development such as would result with the proposed development with Nos. 50 and 52, notwithstanding that the gap between Nos. 50 and 52 would be, according to the appellant, slightly wider. I find the relationship between Nos. 55 and 57 incongruous in the street scene and it demonstrates to me the need to retain a more substantial gap between properties.
8. The appellant has provided a table in his Statement that the proposed extension would be narrower than many of the other first floor extensions in the vicinity. However, my concern is with the relationship of the proposed extension to No. 52, not the width of the proposed extension itself. I acknowledge that the proposed extension would not result in more than 50% of the total land around the house being covered by additions or other buildings, but that is not a matter of dispute between the parties. I do not have the full details of the properties elsewhere to which the appellant refers, but in any event, I must determine this appeal on its own merits.
9. I have taken account of the personal circumstances advanced by the appellant with regard to the proposed extension being to accommodate a family member. Whilst I sympathise with the appellant's desire to provide this accommodation, I have borne in mind that the development would remain long after the personal circumstances have ceased to be material. Therefore, this consideration does not outweigh the harm to the character and appearance of the area I have identified. I also note the indications of support for the proposed development from the occupiers of neighbouring properties but these do not outweigh my conclusions as set out below.
10. Whilst I find no conflict with Policy CS NPPF which sets out the presumption in favour of sustainable development, nor with Policy CS1 of the LPCS which sets out the Council's place shaping strategy, I nevertheless consider that the proposed development would be detrimental to the character and appearance of Kenerne Drive due to its size and positioning. It would therefore be contrary to Policy CS5 of the Local Plan Core Strategy (2012) (LPCS) and Policy DM01 of the Development Management Policies DPD (2012) which seek to protect and enhance character.

Conclusion

11. For the reasons given above, the appeal is dismissed.

Martin Small

INSPECTOR