The Planning Inspectorate

Appeal Decision

Site visit made on 20 October 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/N5090/D/20/3253443
261 Nether Street, Ballards Lane to Dollis Road, London N3 1PD

- 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 Mansour Malekyazdi against the decision of the Council of the London Borough of Barnet.
- The application Ref 20/1512/HSE, dated 19 March 2020, was refused by notice dated 18 May 2020.
- The proposed development is roof extension involving gable ends, rear and side dormer window, changes to fenestration, new side entrance door and canopy.

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Mansour Malekyazdi against the Council of the London Borough of Barnet. This application is the subject of a separate Decision.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

4. The appellant has provided background information to this appeal and has requested clarification on whether the Council were correct to invalidate another previous application, Ref 19/5108/FUL. However, it is my duty to provide a recommendation on the appeal before me, not provide comment on a previously invalidated application.

5. On the application form, the appellant's name is Mr Mansour Malakyazdi. On the appeal form, his name is Mr Mansour Malekyazdi. It was confirmed in correspondence from the agent that the correct spelling is Malekyazdi, and so this is reflected in the banner heading above.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons for the Recommendation

7. The appeal site comprises a large, two-storey, semi-detached dwellinghouse with basement and roofspace accommodation. Due to their similar scale, form, design and materiality, the appeal property and the adjoining property, No.263, share a visually symmetrical relationship which adds to the townscape value of the area. While the appeal property has been subject to a side extension, it appears to roughly match the scale of No 263's side garage when seen from the street and therefore preserves the sense of symmetry between the two properties. Although the side extension's crown roof is set slightly above the eaves of the host building, it is set well below the ridge of the principal roof form and so has an appropriately subservient relationship to the host building.

8. Although the extension would incorporate some design features from the existing dwelling such as the curved brickwork above some of the windows, the proposed roof extension would significantly increase the height, bulk and mass of the side extension. The resultant form and scale of the side extension would be changed to such an extent that it would appear as a separate building adjoining the appeal property rather than an extension to it. Due to its large front dormers and the bulk and height of its crown roof form, the proposed extension would compete with the scale and character of the appeal property for visual primacy, and so would appear as a disproportionate addition that would contrast poorly with the form and character of the host building. Furthermore, due to its close proximity, the proposed roof extension would fail to relate positively to the existing side-facing dormer within the principal roof form and would result in a cluttered, haphazard arrangement at roof-level.

9. Furthermore, the proposed roof extension would result in the loss of visual symmetry between the appeal property and No 263, to the detriment of the character and appearance of the surrounding area.

10. While I acknowledge that no objections were submitted, this does not justify the identified harm that would be caused.

11. The Council found the side door and canopy proposed as part of the scheme to be acceptable. I find no reason to disagree.

12. For the above reasons, I conclude that the proposal would cause unacceptable harm to the character and appearance of the site and surrounding area. It would therefore conflict with Policies CS1 and CS5 of the Core Strategy Development Plan Document 2012 (the Core Strategy) and Policy DM01 of the Development Management Policies Development Plan Document 2012 which broadly state that development should be of the highest quality design and should respect local context and character.

13. The proposal would also conflict with the Residential Design Guidance Supplementary Planning Document 2016, which states that development should respect and enhance the positive features of Barnet's character and local distinctiveness.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR