
Appeal Decision

Site visit made on 5 January 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal Ref: APP/N5090/D/20/3261346

25 Langham Road, Edgware HA8 9EH

- 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 Manuel Daniel Zehaliuc against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/3263/HSE, dated 14 July 2020, was refused by notice dated 1 October 2020.
 - The development proposed is alteration to first floor rear extension roof.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description. I shall determine the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and the area, including the Watling Estate Conservation Area.

Reasons

4. The appeal property is a two storey extended end terrace dwelling located in a mature well-established residential area and the Watling Estate Conservation Area (CA), typically characterised by semi-detached and terraced properties set back from the road behind a front garden/driveway.
5. The surrounding terraced properties are of comparable scale and form, with distinctive steeply pitched and hipped roofs. The uniform architectural character makes a positive contribution to the character of this part of the CA and is acknowledged in the Council's Character Appraisal Statement for the Watling Estate CA¹. The significance of these buildings to the CA can be readily appreciated within the immediate vicinity of the site.

¹ Paragraphs 5.5 and 6.1 of the Council's Watling Estate Conservation Area Character Appraisal Statement 2007

6. The appeal site has an extensive planning history relating to proposals to extend the property, including planning permission for retention of a first floor rear extension and alterations to the roof including a hipped roof in 2019². The proposal entails alterations to the previously approved scheme and involves the lowering of the existing gabled roof constructed over the first floor rear extension. The rear gable end of the first floor extension would also be clad in plain hanging tiles.
7. Whilst the resultant roof extension would be set down below the ridge line of the main house, the proposed gabled roof would nevertheless still result in substantial bulk being added to the roof plane. The proposed roof alterations would be very much at odds with the roof design of the original dwelling and the more traditional hipped roofs of similar properties in the area. The contrasting use of materials and cladding contribute to the overall scale of the roof alterations, giving it particular prominence in relation to its surroundings.
8. The consequential harm would not in my view be sufficiently resolved by the limited effect of the proposed roof alterations on the street scene. In any case, the site is viewed from the rear of the surrounding properties. The proposed development, by virtue of its scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property. As such, I consider that the proposed roof alterations would result in incongruous and out-of-keeping additions that would cause harm to the host property and the area.
9. I have considered the appellant's arguments that the design and layout of the proposed roof alterations has been carefully considered and redesigned in response to the previously dismissed appeal scheme³ and the approved scheme⁴ at the appeal property. Whilst the use of matching materials and fenestrations would assist in integrating the proposed development with the host property, these aspects do not overcome the adverse effects outlined above. As such, I consider that the proposed development would adversely harm rather than positively contribute to the character and appearance of the host property and the area.
10. Given the location of the appeal site within the CA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. I consider that the proposed development, by virtue of its scale, siting and design, would have a negative material impact and would fail to preserve or enhance the CA.
11. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraph 196 of the National Planning Policy Framework, that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to provide additional living accommodation within the host property and secure its optimum viable use. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
12. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area including the Watling Estate Conservation Area. It is contrary to Policies DM01 and DM06 of the Barnet's

² 19/4393/HSE

³ APP/N5090/D/2019/3221655

⁴ 19/4393/HSE

Development Management Policies Document 2012, Policies CS1 and CS5 of the Barnet's Core Strategy 2012 and the Council's Residential Design Guidance Supplementary Planning Document 2016. These policies and guidance, amongst other things, seek to ensure that development is of a high standard of design that respects the local context in terms of appearance, scale and design of the development; responds to the overall character of the area; and preserves or enhances the character and appearance of the conservation areas.

Other Matters

13. I have noted the other developments in the area drawn to my attention by the appellant. However, the roof alterations and extensions at 107 & 115 Deansbrook Road have different development characteristics to the appeal scheme. The various roof alterations and extensions to the properties in the surrounding area relate to a different scale and form of development and have different locational characteristics. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases. I therefore accord them limited weight as precedents in this case.
14. I have considered the appellant's comments regarding the lack of formal objections from the neighbours or third parties to the appeal proposal. Whilst this maybe so, this does not preclude the proper planning assessment of the impact of the proposal on the host property and the area and is not a determinative factor on its own.
15. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and providing additional accommodation to meet the appellant's needs. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

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

David Troy

INSPECTOR