
Appeal Decision

Site visit made on 28 June 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021

Appeal Ref: APP/N5090/D/21/3271877

16 Steynings Way, North Finchley, London N12 7LN

- 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 Rajnikant and Kaminiben Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref 20/5564/HSE, dated 19 November 2020, was refused by notice dated 28 January 2021.
 - The development proposed is the erection of a 'first floor side and rear extension with combine flat and dummy pitched roof'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The London Plan 2021 (LP) was published in March 2021. It comprises the spatial development strategy for London and is now part of the development plan. The LP has replaced earlier versions, including the London Plan (2015) to which the decision notice refers. As the LP post dated the decision to refuse planning permission the Council did not have the opportunity to comment on it, unlike the appellants in the grounds of appeal. In the interests of fairness, comments were therefore sought from both main parties solely in relation to the LP. No response was received from the Council.
3. In responding to this request, the appellants understandably referred to the comments made on the LP in the grounds of appeal, which I have taken into account. At that time, the appellants also submitted a recent appeal decision¹ in support of his case. However, the procedural guide for planning appeals involving householder proposals² makes clear that having made the appeal, the appellants will not normally be able to send any further material unless further information or a response is required and requested by the Inspector. As the information requested related only to the LP, I have not taken this particular appeal decision into account.

Main issue

4. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

¹ Ref APP/M5450/D/21/3270651 dated 11 June 2021

² Paragraph C.5.4 of the Procedural Guide: Planning Appeals England

Reasons

5. The appeal property is a semi-detached property that addresses Steynings Way within a predominantly residential area. Like some properties in the vicinity of the site, No 16 has been externally altered and extended. Specifically, a large flat roof dormer has been placed onto the rear roof slope and there is a ground floor addition with a flat roof that extends across the full width of the plot.
6. The proposal is a first floor side and rear addition that would be set back from the main side and front walls with the roofline well below that of the host building. As the proposal would be to one side of the dwelling, it would partly obscure views of the existing rear dormer from the road although little of this high level structure can be seen within the street scene at present given its position at the back of the property.
7. Nevertheless, the proposal would be a sizeable addition. It would introduce significant additional bulk to the host building with an awkward juxtaposition of different roof forms including flat, crown, pitched and dummy pitched roofs all evident in close proximity. In addition, the new rear windows would neither align with nor successfully relate to the position and size of the windows above and below the proposed extension.
8. When seen together with the existing rear dormer and ground floor extension, the proposal would result in a cumbersome enlargement of the appeal dwelling. In the light of the cumulative impact on the host building with the existing extensions, the appeal scheme would be an unwieldy feature in the new rear façade due to its scale, design and roof form. Notwithstanding the use of external materials to match those of the existing building, the proposal would be an unsympathetic form of development. Although much of the extension would not be readily evident from the road, it would be highly visible from the back gardens of the properties on either side of the site. From these vantage points, the proposal would draw the eye as an obtrusive and unwelcome addition to both the host building and the local area. Adjusting the proposed fenestration to reflect the sizes and positions of the existing rear windows would not overcome these concerns.
9. The Council's Supplementary Planning Document, *Residential Design Guide*, (SPD) states that extensions should normally be consistent with regard to the form, scale and architectural style of the original building. It also notes that this can be achieved by respecting the proportions of the building, using an appropriate roof form and by reflecting the character of the house. As the proposal would not do so, it would conflict with this guidance.
10. The appellants place some reliance on a planning permission for a first floor side, rear and a rear roof extension at the appeal property that was granted in 2007. From the plans and details provided, this approved development differs in design and scale to the proposal before me. It also predates current planning policy and guidance against which the appeal scheme is to be assessed. The appellants also state that the 2007 development was not implemented. On that basis it has now lapsed. For all of these reasons, I attach only limited weight to the previously approved development in support of the appeal. I also note that the Council has previously issued a certificate of lawfulness to alter and extend the roof of No 16, which differs in nature and scale to the proposed development in this instance.

11. Reference is made to a recent appeal decision³ at 30 Wessex Gardens, Golders Green and particularly the Inspector's remarks in that case with regard to the policies of the LP and the recognition that local character evolves over time. I share that opinion. To ensure that new development is readily assimilated into the area it is important that proposals are informed by an understanding of local character, which would not be the case here.
12. My attention is also drawn to other decisions to grant planning permission at appeal or on application although the examples given fall outside of the Council's administration boundary. Consequently, the policy context of these decisions differs to the proposal before me. Furthermore, from the information provided, none of the developments cited are similar in nature and scale to the proposal. Consequently, few direct parallels can be drawn with the circumstances in this appeal case. In any event, each development should be assessed on its own merits, as I have done. Therefore, these decisions do not weigh in support of the appellants' case.
13. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. Accordingly, it is contrary to Policy DM01 of the Barnet's Local Plan (Development Management Policies) and Policies CS1 and CS5 of the Barnet's Local Plan (Core Strategy). These policies aim to ensure that development respects the local context and preserves or enhances local character. It is also at odds with the LP that promotes high quality design and the National Planning Policy Framework insofar as it requires developments to be sympathetic to local character and add to the overall qualities of the area.
14. Once in place, the proposed extension would provide additional accommodation that would, in turn, improve the living conditions of the appellants. Others raise no objections. However, these matters do not outweigh the significant harm that I have identified in relation to the main issue.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR

³ Reference APP/N5090/W/20/3264108 dated 22 March 2021