



Appeal Decision

Site Visit made on 20 July 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2021

Appeal Ref: APP/N5090/D/21/3268631

164 Leicester Road, Barnet EN5 5DS

- 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 Mrs Suganthiny Krishnakanthan against the decision of the Council of the London Borough of Barnet.
- The application Ref 20/4689/HSE, dated 28 September 2020, was refused by notice dated 14 December 2020.
- The development proposed is a two storey side extension.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal must be determined in accordance with the development plan as it exists at the time of my decision unless material considerations indicate otherwise. Subsequent to the appeal being submitted, the London Plan 2021 (LP) was published and Policy 7.4 of the London Plan 2016 referred to within the Council's decision notice has been superseded. Nevertheless, my decision does not turn on this policy, and I have not therefore referred to it further.
3. Also in the period since the appeal was submitted, the Government published a revised National Planning Policy Framework 2021 (the Framework). The main parties were given the opportunity to comment on any implications for the appeal of this change, and I am therefore satisfied that no prejudice would be caused by my consideration of the appeal against the revised Framework.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site includes a semi-detached dwelling at the junction of Leicester Road with Highlands Road. Despite some variety in their form, nearby buildings are typically set back from street frontages on consistent building lines. Separation between them at first-floor level and above is for the most part reasonably generous and of regular width allowing views through to rear gardens. As a result, there is a relatively spacious setting to the buildings which is enhanced by the generally increased spacing to the side of those buildings that are positioned on corners, and there is an overall sense of rhythm and coherence to the street scene. Together with the common design features of

front gables, hipped roofs and similar external materials to many of the buildings, this gives the area a distinctive local character.

6. In accordance with guidance within the Council's Residential Design Guide 2016 (RDG), the proposed side extension would be set back from the front of the appeal dwelling at first-floor level and would have a hipped roof set down from the main ridge line. However, while the development would not extend beyond the appeal site, it would infill much of the space between the side of the dwelling and its boundary with Highlands Road. This would result in a significant reduction in openness on the site, and the tight relationship of the dwelling with the boundary to its side would be at odds with the more generous spacing which is typical to the side of buildings nearby, particularly on corner plots.
7. I accept that the proposal would respect the building line along Leicester Road, but the development would also extend the dwelling even closer to Highlands Road than the side of the existing building, stepping notably forward of the established Highlands Road building line. As a consequence, it would be a prominent and intrusive feature in views along Highlands Road, and would result in an unusual degree of enclosure to the junction.
8. I have noted examples of extensions nearby referred to by the appellant including at 166 Leicester Road opposite the site which includes a side extension up to the boundary with Highlands Road. However, this is of modest single-storey height, limiting the visual impact of its position relative to the front of dwellings on Highlands Road to the rear, and retaining a tangible sense of openness to the side of the building and around the junction which would be lacking on the appeal site. Two-storey extensions at 30, 90 and 172 Leicester Road appeared to me to include greater spacing to the boundaries at their sides than the development before me, particularly at first-floor level, and I was not directed to any similar two-storey extensions on comparable corner plots. The existence of other extensions in the locality does not therefore justify the harm that would be caused by the appeal proposal which I have in any event considered on its own merits.
9. The Framework encourages the effective use of land. However, this is qualified against the need to ensure that development responds to local character and delivers well-designed places and while the site is not close to designated heritage assets nor designated itself, that does not mean the character and appearance of the area is of no importance. Irrespective of the hipped roof design and use of sympathetic materials, I find for the reasons set out above that the development would be a discordant and intrusive feature that would erode the spacious quality and distinctive pattern of its surroundings.
10. I therefore conclude that the proposal would cause unacceptable harm to the character and appearance of the area contrary to Policy DM01 of Barnet's Local Plan (Development Management Policies) 2012 and Policy CS5 of Barnet's Local Plan (Core Strategy) 2012. Amongst other things, these policies together broadly require high quality design and development that respects local context and protects local character. It would further conflict with the RDG which includes guidance that first floor extensions on corner sites should not project beyond the building line of the adjoining road.

Conclusion

11. The proposal would create additional living space for the appellant, but I do not consider that this benefit is sufficient to outweigh the harm that would be caused to the character and appearance of the area and the resulting conflict with the development plan. The proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.
12. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR