



Appeal Decision

Site visit made on 23 November 2021

by Michael J Muston BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2021

Appeal Ref: APP/N5090/D/21/3281695

29 Eagle Drive, Colindale, London NW9 5AG

- 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 Mang Tran against the decision of the Council of the London Borough of Barnet.
 - The application Ref 21/2963/HSE, dated 27 May 2021, was refused by notice dated 26 July 2021.
 - The development proposed is a first floor side extension.
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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. The appeal site is located in a residential area, comprising a mix of property types and designs, including blocks of flats. The appeal property is a two storey one bedroomed house, located on the end of a terrace, whilst also backing to another similar property. The building including the appeal site is in a prominent location, with the elevation where the extension is proposed being clearly visible from Eagle Drive and Harrier Road.
4. The proposal involves building on top of an existing single storey side extension. The complication with this site is that only half of the gable end facing towards Harrier Road is in the ownership of the appellant, meaning that the extension can only adjoin half of that gable.
5. The Council adopted a Supplementary Planning Document (SPD) entitled "Residential Design Guidance" in 2016. This provides detailed guidance in respect of, amongst other things, extensions to properties. Amongst this guidance is advice that "*side extensions should not be more than half the width of the original house*", and that "*pitched roofs, following the same pitch as the existing roof, will normally be needed for two storey extensions and be set down at least 0.5 metre from the ridge of the main roof*".
6. The Council argues that the appeal proposal is contrary to both these pieces of advice, and that as a result the proposal would appear as a disproportionate, discordant and incongruous addition.

7. The proposed first floor side extension would be significantly more than half the width of the original house, with its width being the same as the existing single storey extension. This existing side extension, which was permitted after the Council adopted the SPD, already conflicts with this guidance. Despite this, it appears as a subservient addition to the main house and the terrace of which it forms part. Adding an additional floor would increase the prominence of the resulting addition to No 29, and would, to some extent, make it appear as an unduly bulky addition.
8. The proposed pitched roof on the extension would be set down some 0.3 metre from the part of the roof that it would adjoin. It would be set down significantly more than 0.5 metre from the ridge of the roof, this being the ridge of the whole block rather than just of No 29. As a result, the proposed extension would have a pitch the same as the existing roof, and would be set down below the main roof by an appropriate amount to make it clear that it is an extension. I do not consider that the failure to achieve a 0.5 metre set down, in these circumstances, would in itself make the proposed extension appear as out of character with the surrounding area.
9. However, because of the layout of the houses within the block of which the appeal site forms part, the design of the proposed extension is awkward, with a gable set within half of the width of an existing gable. The extension would be in a very prominent position on a road junction. As a result of its width, its awkward design, and its location, it would appear as an incongruous feature, to the detriment of the character and appearance of the estate on which it would be located.
10. I conclude that the proposal would have an unacceptably adverse effect on the character and appearance of the area, contrary to Policy CS5 of the LB Barnet: Core Strategy (2012) and Policy DM01 of the LB Barnet: Development Management Policies DPD (2012). These policies seek, amongst other things, development that respects local context and distinctive local character, and that does not cause harm to the character or appearance of the property or area.

Conclusion

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

Michael J Muston

INSPECTOR