



Appeal Decision

Site visit made on 11 April 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 May 2022

Appeal Ref: APP/N5090/W/21/3284808
64 Francklyn Gardens, Edgware HA8 8RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Grosskopf against the Council of the London Borough of Barnet.
 - The application Ref 21/4235/HSE is dated 29 July 2021.
 - The development proposed is part single/part two storey front, side and rear extensions. Loft conversion with rear facing gable to create an additional bedroom.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The appeal is against the non-determination of a planning application. The Council's submission sets out that they would have refused planning permission for reasons relating to the character and appearance of the host property and surrounding area.
3. The appellant submitted amended plans to the Council. However, I understand that these plans were not uploaded and did not form part of the Council's assessment. Generally, proposals cannot be amended through the appeal process. To consider an appeal on the basis of the amended proposals without the ability to undertake a revised consultation exercise would be unfair and could prejudice the position of those who may wish to comment on the proposals. Consequently, I have determined the appeal on the basis of the plans originally submitted to the Council. Any amended proposal would be a matter for the Council to consider.

Main Issue

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

Reasons

5. The appeal site comprises a two-storey, detached dwelling situated within a residential area. The surrounding area is characterised by two-storey detached and semi-detached dwellings. I observed on my site visit that some dwellings have been extended and there are examples of gabled formed roofs within the surrounding area. Nonetheless, there is a sense of homogeneity within the local

area and extensions largely respect the proportions of the host property and surrounding area. The proposed development follows a similar scheme¹ and associated dismissed appeal².

6. The proposed development would be mainly to the rear of the property. Nonetheless, development should respect its local context and character, regardless of whether it is visible from public vantage points or not. The scheme would substantially increase the scale of the property and result in a bulky addition. To the rear, the extension would have a large flat roof and would appear as a three-storey dwelling. Due to primarily the design and scale of the proposed roof and first-floor rear extensions, the scheme would not be a subordinate addition to the original building and would not respect the proportions of the host property. Consequently, the proposal would result in an incongruous form of development which would appear at odds with the established pattern of development and other dwellings within the surrounding area.
7. The appellant has drawn my attention to other extensions within the locality and permitted development rights relating to dormers. However, these considerations do not outweigh the harm identified above.
8. For these reasons, the proposed development would be visually harmful to the character and appearance of the host property and surrounding area. Accordingly, it would conflict with Policy DM01 of the Barnet's Local Plan- Development Management Policies (2012) and Policies CS1 and CS5 of the Barnet's Local Plan- Core Strategy (2012). These policies seek, amongst other matters, to promote high quality design which preserves or enhances local character and respects the appearance, scale, mass, height and pattern of surrounding buildings and streets.
9. It would also conflict with the Council's Residential Design Guidance Supplementary Planning Document (2016) (SPD) and the National Planning Policy Framework (the Framework). The SPD states that extensions should be consistent with the form, scale and architectural style of the original building and should take account of the character and established form of development along the street. Furthermore, the Framework promotes good design and states that developments should be sympathetic to local character.
10. The Council refers to Policy 7.6 of the London Plan (2016) in their statement. However, the London Plan (2021) has since been adopted and therefore this policy is no longer relevant. In any event, given the conflict with the other local planning policies, the proposal would conflict with the development plan as a whole.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR

¹ 20/4609/HSE

² APP/N5090/D/21/3266971