
Appeal Decision

Site visit made on 16 August 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/N5090/D/22/3301075

43 Tretawn Gardens, Mill Hill, Barnet, London NW7 4NP

- 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 Amour Patel against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/0655/HSE, dated 9 February 2022, was refused by notice dated 7 April 2022.
 - The development proposed is the erection of a part single storey, part two storey rear and side extension with roof alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. It is considered that the main issues are the effects of the proposed development on (a) the character and appearance of the host property and the streetscene and (b) the living conditions of the occupiers of 41 Tretawn Gardens.

Reasons

Character and Appearance

3. The appeal property is a detached 2-storey dwelling situated on a triangular shaped plot at a bend in the road. The property is within a primarily residential area comprising mainly detached dwellings which are of traditional suburban design, materials and appearance dating from the inter-war years. Several dwellings along the road, including 41 and 45 Tretawn Gardens, have been altered. There are various roof, rear and side extensions.
4. Although some are altered, the dwellings fronting the road have generally retained a visually dominant 2-storey bay window as part of their front elevations and hipped roof forms prevail. By reason of 2-storey side extensions, the original gaps between some of the dwellings have been eroded. Where the gaps are retained, including those above single storey additions, they make a positive contribution to the spacious appearance of the streetscene.
5. The proposed development includes a 2-storey side/rear extension together with a single storey rear addition. The Council's Supplementary Planning Document *Residential Design Guidance* (RDG) refers to proposed extensions

being consistent with the form, scale and architectural style of the original building, particularly where it is a period or suburban property. In this case, the triangular shape of the plot does provide some additional siting and design consideration which are not specifically addressed in the RDG's guidance.

6. Attached to the proposed 2-storey side extension would be a single storey addition and, cumulatively, their footprint would occupy the gap between the property and No. 41. However, there would be a physical and visual gap at first floor level between the extended property and No. 41 because of the catslide roof. An unacceptable physical or visual terracing effect would not arise.
7. However, the design of the proposed 2-storey side extension and the associated single storey addition would represent a conspicuous and incongruous form of development. The proposed catslide roof would not reflect nor respect the character and appearance of the other dwellings within the streetscene where there is a predominance of hipped roof forms. This element of the appeal scheme would be contrary to the guidance contained in the RDG, including new development recognising the roof form of surrounding buildings. The extensive glazed front elevation below the proposed catslide roof would accentuate this unacceptable harm to the character and appearance of the suburban streetscene because it would not reflect the fenestration of the host property and other dwellings.
8. Further, and although reflecting the siting of an existing addition, the proposed 2-storey side extension would project forward and be a similar depth as the bay window. Accordingly, and in addition to being contrary to the guidance in the RDG, by not being set back from the front elevation, this element of the appeal scheme would visually and physically compete with the 2-storey bay window. Overall, the proposed development would not be of high quality design which demonstrates an appropriate understanding of the character and appearance of the streetscene.
9. In combination, the side and rear extensions would represent a significant increase in the size of the host property. There are other altered dwellings of a similar scale fronting the road and, as such, the extended appeal property would not appear disproportionate in size when viewed within the context of the streetscene. However, the scale of the proposed development would significantly increase the size of the host property and the appeal scheme's overall bulk would not represent a subordinate addition to the original house as advised in the RDG.
10. For the reasons given, the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene and, as such, it would conflict with Policy CS5 of Barnet's Local Plan (Core Strategy) (CS) and Policy DM01 of Barnet's Local Plan (Development Management Policies) (DMP) and the RDG. Amongst other matters, these policies refer to development representing high quality design which respects local context and distinctive character by having an understanding of local characteristics and proposals at least preserving local character and respecting the appearance, scale and pattern of surrounding buildings.

Living Conditions

11. The RDG refers to a 4-metre depth for a single storey rear extension normally being considered acceptable for a detached property subject to other considerations, such as any change in ground level and the location of neighbouring habitable room windows. The proposed rear extension directly projects circa 3.5 metres from the rear of the appeal property. However, the actual length of the flank wall, which would be sited close to the shared boundary with No. 41, would be longer because of the angled plot. The proposed extension would be sited at a higher ground level than the rear garden of No. 41. This difference in ground level was observed during the site visit and is evident from the submitted drawings.
12. Within the rear elevation of No. 41 is a single opening comprising patio doors and associated windows which serves a habitable room. By reason of siting, depth and overall height above the ground level of No. 41, the flank wall of the proposed rear extension would be a visually dominant feature in the outlook from this opening. Accordingly, it is concluded that the appeal scheme would be an overbearing form of development which would cause unacceptable harm to the living conditions of the occupiers of 41 Tretawn Gardens. It is further concluded that the appeal scheme would conflict with CS Policy CS5, DMP Policy DM01 and the RDG which, amongst other matters, refer to development not having a demonstrably harmful impact on residential amenity.

Other Matters

13. The appellant has referred to the availability of permitted development rights for the appeal property. However, there is no detailed proposals to demonstrate what might be capable of being erected as permitted development. The planning history of Nos 41 and 45 indicate that the alterations to these dwellings pre-dates the current development plan policies and the RDG. Limited weight has been given to these matters and, as such, they do not outweigh the unacceptable harm which has been identified. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR