The Planning Inspectorate

Appeal Decision

Site visit made on 29 December 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 January 2023

Appeal Ref: APP/N5090/D/22/3307483
24 Endersleigh Gardens, Hendon, Barnet NW4 4SD

- 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 Eqrem Ratkoceri against the decision of the London Borough of Barnet.
- The application Ref 22/1620/HSE, dated 28 March 2022, was refused by notice dated 20 July 2022.
- The development proposed is described as a Two storey side extension.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development from the Council's Decision Notice as this more succinctly describes the development. I note the Council's description of development is also noted on the appellant's appeal form.

Main Issue

3. The main issues are the effect of the proposed development upon:

   - The existing building and the character and appearance of the locality and
   - The living conditions of No.22 Endersleigh Gardens, with particular regard to outlook.

Reasons

Character and Appearance

4. The appeal site is located along Endersleigh Gardens, where the local area forms a number of streets that contains formally laid out speculative housing which appears to date from the early to mid-twentieth century. The local area contains predominantly semi-detached dwellings which have a symmetry in their placement with a consistent front setback with front gardens and low boundary walls. The dwellings largely come in two forms, those with a 'catslide' side roof with projecting gable which is evident on the dwellings which are angled to front the intersection of Endersleigh Gardens and Grove Gardens; and more traditional semi-detached dwellings with hipped roof further away from the intersection. There are also visual gaps in between properties where glimpses to the tops of trees in rear gardens are experienced and is a positive characteristic of the area alongside trees to front gardens. I disagree with the appellant's Statement of Case (SoC) that there is a variety of roof forms within this immediate context with gable roof forms only being present on those dwellings with catslide type roof forms. On my site visit I noticed that the main

dwellings had very similar design and size characteristics with brown concrete roof tiles, the use of brick and feature areas of pebbledash and hanging tiles, large forward projecting bow windows, hipped roof forms, and coaxial chimney stacks which are a dominant feature to the locality and design of the dwellings, amongst others.

5. The appeal site is one of the characteristic semi-detached dwellings as part of this small estate. The building comprises of a main two storey component with hipped roof and maintaining the visual gap. Beside the dwelling is a pair of semi-detached dwellings (No.s 20 and 22) which are positioned at an angle towards the corner of Endersleigh Gardens and Grove Gardens. No.22 Endersleigh Gardens has a single storey detached building along the property boundary with the appeal site. The appeal displays a number of positive qualities which are experienced within the street scene, such as containing many of the important design elements described and original hipped roof forms and visual gaps between properties. These positive elements reinforce the local character, appearance and distinctiveness of the area. Whilst there are extensions and alterations to surrounding properties, they are relatively subservient and maintain the dominant characteristics in terms of their design and appearance.

6. In undertaking extensions and alterations to existing buildings, the London Borough of Barnet Local Plan Core Strategy (CS) Policies CS1 and CS5 seeks to ensure that redevelopment delivers a high quality design by respecting local context and distinctive local character. The London Borough of Barnet Development Management Policies (DMP) Policy DM01 seeks to encourage development that provides positive characteristics such as understanding context, be high quality in design, form, scale, layout and the spaces around them, amongst others. These policies are supported by the Residential Design Guidance Supplementary Planning Document (RDG) which offers guidance on specific elements of designing new schemes and alterations, such as local character, pattern of development, building line and setbacks, scale, massing and height, materials, colour and architectural detailing, amongst others. Policy D3 of the London Plan is also relevant in that this policy seeks that new development take a design orientated approach in terms of context, character and appearance of the surrounding area.

7. The proposal would extend the two storey component to the side, be setback from the front façade, with a gable end which would be uncharacteristic for this pair of semi-detached dwellings giving an a-symmetrical appearance. It is noted in the RDG that side extensions should reflect the roof form of the host dwelling, which this would not. Whilst I acknowledge the appellant's comments with regards to the gable roof projection from No.22, this dwelling is one with a catslide roof where the gabled roof form projects from the first floor level. This is not the same as experienced at the appeal dwelling which instead is seen with No.26, the remaining half of this pair of semi-detached dwellings. Whilst the two storey side extension is setback and less than half the width of the main dwelling, there is a loss of much of the visual gap between the appeal dwelling and No.22, which is a positive characteristic of this particular locality.

8. I also note comments in the appellant's SoC regarding other extensions in the locality[1] which the appellant considers to be less suitable than the proposed

[1] No.s 8-10 and 16-18 Colindeep Gardens, 3 Endersleigh Gardens, No.22 Endersleigh Gardens

scheme and which have been endorsed by the Council. The appellant has not submitted any details of these schemes, and whether these schemes required planning consent or were permitted under the General Permitted Development Order 1995 (as amended) and may therefore not have 'endorsement' from the Council. Whilst I also agree with the appellant that these types of hip to gable roof extensions have caused detriment to the local street scene, the presence of poor features does not justify the approval of further poor features when assessed against the policies of the development plan.

9. In conclusion of this matter, the proposed extension would result in the loss of positive characteristics such as the visual gap between dwellings and would be clearly disproportionate and the additional visual bulk and massing would be unlike other extensions constructed within the immediate vicinity. Consequently, the proposal would be harmful to the character and appearance of the existing building, and the local distinctiveness of the locality and be contrary to CS Policies CS1, CS5, and DMP Policy DM01, which is supported by the RDG as described previously. Additionally, the scheme would be contrary to Policy D3 of the London Plan.

Living Conditions

10. The main concerns raised from the Council are with regards to living conditions of No.22 as a result of visual impact and outlook. No.22 contains a single storey outbuilding along the boundary with a triangular garden behind the main semi-detached dwelling. Due to the angle in the positioning of No.22, there is a window in the flank elevation at ground and first floor levels and a window to the rear of the dwelling at first floor level. According to the appeal documents, these windows allow light to habitable rooms.

11. Whilst the proposed extension would project towards the shared boundary there is a sufficient setback between the extension and existing windows, with the angled nature of the neighbouring dwelling assisting in not having a direct relationship which turns away from the proposed extension. Whilst there may be some increase in perception of enclosure towards No.22, it would not be significant enough or 'excessive' enough to cause adverse detriment. The occupiers of No.22 also have adequate rear garden space away from the extension, with the windows of this neighbouring property not being detrimentally impacted by the proposed development from loss of outlook.

12. Consequently, and in conclusion of this matter, the proposed scheme would be in compliance with CS Policy CS5, DMP Policy DM01 which is supported by the RDG and the Sustainable Design and Construction Supplementary Planning Document.

Conclusion

13. Whilst I have agreed with the appellant that the extension would not cause adverse detriment to living conditions, when taken as a whole, this would not be sufficient to overcome the detriment caused to character and appearance of the host building and the surrounding locality. For the reasons given above, I conclude that the appeal is dismissed.

J Somers
INSPECTOR