



Appeal Decision

Site visit made on 27 June 2023

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2023

Appeal Ref: APP/N5090/D/23/3321984

2 Deans Way, Edgware, Barnet HA8 9NL

- 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 & Mrs A & L Cohen against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/0421/HSE, dated 1 February 2023, was refused by notice dated 13 April 2023.
 - The development proposed is a two storey side extension and part single, part two storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended by the Council in its decision letter. I have used the description of development as written on the planning application form.
3. I note there is a draft Barnet Local Plan that has been submitted to the Planning Inspectorate for independent examination. As the plan has not yet been adopted, its policies carry limited weight.

Main Issue

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

Reasons

5. The appeal site is in a prominent position on the corner of Deans Way and Deans Lane. The area is characterised by predominantly two storey semi-detached and detached dwellings with hipped roofs, set in plots with front and rear gardens. Due to its position within a corner plot and the rise of the land along Deans Lane to the rear, the appeal site and its semi-detached neighbour at 4 Deans Way are highly visible in the street scene. The visibility of the rear and side of the site is accentuated by the loft conversion, the second floor rising sheer from the rear elevation, with a gable end facing Deans Lane.
6. The proposed extension, due to its bulk, height and prominent position wrapping around the corner of the building, would be highly visible and would draw further attention to the already imposing rear and side elevations of the

appeal property when viewed from Deans Lane. This is due to the prominent position of the site and level of the rear garden relative to views from Deans Lane when coupled with the overall bulk of the proposed extension. Its bulk and scale, particularly at first floor, would in my view sit incongruously and appear as an overly dominant addition at odds with the established character and appearance of the area.

7. A 2008 appeal decision at 2-4 Deans Way¹ is a material consideration in determining this appeal since it related to a ground and first floor rear and side extension. I note that since that decision, a new development plan² and the Residential Design Guidance Supplementary Planning Document (SPD) 2016 have been adopted and therefore the policy framework for determining this appeal is different than in 2008. The current appeal proposal is also materially different, with the site being confined to 2 Deans Way, the detailed design of the extension has changed, and the size of the extension reduced.
8. There are, however, aspects of the 2008 appeal decision which remain relevant. At the time, the Inspector considered that the visibility of the site from Deans Lane was a significant determining factor. I consider that this is still the case. I have no substantive evidence before me that the context of the appeal site has changed in the intervening period.
9. I acknowledge that the appeal proposal would meet the requirements of the SPD in terms of its form, dimensions, and use of materials. I also note the appellants' point regarding symmetry and the example shown in paragraph 14.13 of the SPD. Notwithstanding this, the SPD states that account should be taken of the angle and position of the site, which may increase the visual effect of an extension, which I consider to be the case here. Furthermore, paragraph 14.3 makes it clear that some proposals, even when the guidance is met, may still be considered unacceptable in terms of their effect upon the character and appearance of a building or area.
10. I do not find therefore that the compliance with some elements of the SPD in terms of form, dimensions and use of materials is sufficient to make the appeal proposal acceptable. This is due to the context of the site in terms of its highly prominent position in the street scene, which has the effect of increasing the visibility of the proposed extension. I therefore find that the appeal proposal conflicts with policies CS1 and CS5 of Barnet's Local Plan: Core Strategy DPD (2012); policy DM01 of Barnet's Local Plan: Development Management Policies DPD (2012) and policy D3 of the London Plan (2021), all of which, amongst other things, seek to ensure high quality development and the protection or enhancement of local character and appearance.
11. I noted on my site visit that some other properties in the area had been extended to the rear and side. I have had regard to these and do not consider the circumstances to be directly comparable to the appeal site in terms of the form of the plots and prominence in the street scene.

¹ Appeal reference APP/N5090/A/07/2050924

² Barnet's Local Plan 2012 and the London Plan 2021

Conclusion

12. I have found that the appeal proposal would harm the character and appearance of the area, as such it is contrary to the development plan read as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. Accordingly, the appeal is dismissed.

L Francis

INSPECTOR