



Appeal Decision

Site visit made on 22 August 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 13 September 2023

Appeal Ref: APP/N5090/W/23/3314844

42 Garthland Drive, Arkley, Herts EN5 3AZ

- 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 John Hammett against the Council of the London Borough of Barnet.
 - The application Ref 22/4749/HSE, is dated 20 September 2022.
 - The development proposed is first floor side extension including side dormer window.
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Decision

1. The appeal is dismissed and planning permission for proposed first floor side extension including side dormer window is refused.

Preliminary Matters

2. As the description of development on the application form did not directly refer to the extension being on the side, I have used in the banner heading and in my formal decision above, the description used on the appeal form and by the Council in their statement.

Main Issue

3. The appeal is against the failure of the Council to determine the planning application. The Council has produced a putative reason for refusal and from that I consider that the main issue is the effect of the proposal on the host property and the character and appearance of the area.

Reasons

4. The appeal site is a detached, two storey dwelling, located in a residential area with housing of various styles. The property has a wide, open frontage, elevated above the adjoining road. The house has a hipped roof, hanging tiles on first-floor elevations and a double bay extension to the front.
5. The proposal would be located above an existing single storey side extension. It would have a large flat roof which would extend across the side of the two-storey elevation of the house. Barnet's Local Plan Supplementary Planning Document: Residential Design Guidance (SPD), 2016, advises that side extensions should normally be set back from the main front wall by one metre. Whilst this would not be possible when building above an existing ground floor extension, this lack of set back would make the proposal appear bulky and visually increase the prominence of the development. The roof form would not complement the original hipped roof on the house. This

would result in the proposal appearing unbalanced compared with the existing roofs.

6. In addition, as the extension would be on the side elevation, it would be highly visible within the streetscape and would appear as an incongruous addition which would not be consistent with the form and architectural style of the host dwelling. This would harm the design and balance of the house. Despite the variety of house styles on this long residential road, there is an overall cohesive design, which this proposal would detract from.
7. Whilst a number of houses, including the adjoining property, No 44 Garthland Drive, have small, flat roofed front dormers, these would appear to have been constructed when the houses were originally built. From my viewing of the site and properties within the road, I was unaware of a similar style of extension to that proposed for No 42.
8. In conclusion, the proposal would be unsympathetic to the host dwelling and as a side extension, it would be unduly prominent from the adjoining road. Therefore, it would cause harm to the character of the host property and the character and appearance of the area.
9. Consequently, it would not accord with Policies CS1 and CS5 of Barnet's Local Plan (Core Strategy), 2012, and Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document, 2012. Collectively, these policies seek to create high quality design which preserves or enhances local character and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Furthermore, it would not accord with the SPD.

Conclusion

10. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
11. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR