

Appeal Decision

Site visit made on 21 August 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2023.

Appeal Ref: APP/N5090/D/23/3323534

5 Kenilworth Road, Edgware, Barnet HA8 8YF

- 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 Mrs Brughuni Patel against the decision of the London Borough of Barnet Council.
 - The application Ref 23/0142/HSE, dated 13 January 2023, was refused by notice dated 17 March 2023.
 - The development proposed is a rear extension and loft conversion with hip to gable extension and rear dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the residents of 7 Kenilworth Road with regard to light and outlook.

Reasons

3. The proposal would change the bungalow from having a hipped roof to a roof with side facing gables. This would be at odds with its original design and detailing. It would also be out of keeping with its immediate neighbour. This change would result in harm to the character and appearance of the property and wider area. There are numerous properties in this road that have been altered in a similar fashion but these do not generally represent positive changes to the street scene.
 4. The proposal includes a large rear dormer window which would be clearly apparent from Parnell Close. This would detract from the appearance of the dwelling. It would however, sit relatively comfortably within the new roof slope, being set in from the side gables, below the ridge line and well back from the eaves. There are a number of larger rear dormers which dominate and detract from the form of the houses in the area and which are evident from within the street. This proposed dormer would offer some design benefits in comparison, but would be more prominent given the corner location.
 5. It is proposed that the existing side extension be extended to the rear by a further two metres. The existing flat roof of the side extension is clearly evident
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- above the high fence along Parnell Close. The proposal would increase the depth of this element and increase its prominence. This part of the property design currently detracts from the appearance of the dwelling within the street scene and this proposal would further add to this unsatisfactory design.
6. It is evident that the proposed details have taken into account the changes to other properties that have occurred and in many respects, this proposal would result in less harm than some of the other changes carried out. However, the appellant acknowledges that many of these changes may not have benefitted from individual planning permissions. Whilst they have altered the appearance of the area to some extent, the more positive design characteristics of the area remain apparent. There is nothing before me to suggest that the council has been inconsistent in its approach and I must consider the proposal on its own merits and in light of the current development plan policies.
 7. Although the harm to the character and appearance of the area has been limited due to the scale of the rear dormer window; by following existing designs within the area; and only marginally increasing the negative existing design features of the dwelling as it currently stands, the proposal would detract from the character and appearance of the area and would not represent high quality design. It would be contrary to the design aspirations of policy CS5 of Barnet's Local Plan Core Strategy 2012 (CS); and policy DM01(a & b) of the Local Plan document, Development Management Policies 2012 (DMP). It would also conflict with policy D3(1) of the London Plan 2021 (LP) as although this encourages the optimisation of site capacity, it requires that this is done whilst enhancing the local context.
 8. The existing rear ground floor extension already extends beyond the rear extension of the neighbouring property at 7 Kenilworth Road. The proposed further two metres addition would, despite the set in from the boundary, further enclose the neighbouring rear garden. It would be unacceptably overbearing when in the nearest part of the neighbouring rear garden and when in the rear facing room within the existing extension. This element of the proposal would unacceptably harm the living conditions of the neighbouring residents with regard to outlook. The proposal would result in only a marginal increase in shading of the neighbouring garden during early afternoons but this adds to the main concern with regard to outlook. It would conflict with the amenity requirements of CS policy CS5; DMP policy DM01(e); and LP policy D3(7). As the development plan policies generally accord with the design and amenity requirements of the *National Planning Policy Framework*, I afford them full weight.
 9. Reference has been made to the council's Supplementary Planning Document: Residential Design Guidance 2016. The proposal does not conflict with the hip to gable roof guidance. However, the dormer proposed would exceed the proportions encouraged and the greater depth of the single storey extension would emphasise the current conflict between the existing building design and the guidance, particularly given this corner location. On balance, I find greater conflict than accord with the guidance.
 10. In conclusion, although efforts have been made to limit the harm and present a more acceptable composition than other existing developments, the proposal includes a number of elements that, in combination, do not represent a high

standard of design and would result in harm to the character and appearance of the area. The proposal would also reduce the outlook of the neighbouring residents. Whilst there would be benefits from the proposal to the appellant in terms of improved accommodation; and the works would benefit the local economy, there are no matters that are sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR