
Appeal Decision

Site visit made on 23 January 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th February 2024

Appeal Ref: APP/N5090/D/23/3330014
32 Cheyne Walk, Hendon, London NW4 3QX

- 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 Jonny Kanzen against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/3029/HSE, dated 12 July 2023, was refused by notice dated 5 September 2023.
 - The development proposed is to erect a single storey front and side extension.
-

Decision

1. The appeal is allowed, and planning permission is granted to erect a single storey front and side extension at 32 Cheyne Walk, Hendon, London NW4 3QX in accordance with the terms of the application Ref 23/3029/HSE, dated 12 July 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 01, 02, 03, 04, 05 and the Site Location Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural matter

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. The Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a 2-storey house with a forward projecting detached garage to one side within a predominantly residential area. It addresses Cheyne Walk along which dwellings are similar in age and general style with some variety in scale, type, and general appearance. Like some properties close to the site, No 32 has been externally altered and enlarged. Specifically,

the main house includes extensions on 3 sides and at roof level; some detailing has been removed such as the vertical tiles on the front bay; the roof has been re-clad; and the walls of both the house and garage have been rendered.

5. The new front and side extension would be single storey, modest in scale and height with materials to match those of the host building. Although wider and larger than the garage to be replaced, it would be a proportionate addition. The appeal scheme would project no closer to the road than the existing garage thereby maintaining a sense of space at the front of the completed dwelling. The submitted design would fit with the architectural style of the host building with a hipped roof that would also be compatible with the main house. As a result, the appeal scheme would not draw the eye as disproportionately wide or large, overly dominant, or as an unsympathetic addition to the house.
6. With the new built form in place, the front and side of No 32 would have been significantly changed. Nevertheless, taken as a whole, the finished building would be in keeping with the character and appearance of a dwelling that has evolved over time. From what I saw, few other properties along Cheyne Walk have been enlarged in a way that is broadly similar to the proposal. Even so, I am not persuaded that, despite its prominence in the street scene, the proposed development would look out of place among the varied built form that characterises this highway and the local area.
7. My attention has been drawn to a decision to grant planning permission on appeal for a side extension at 31 Shirehall Lane, which I saw at the site visit. Although there are some parallels to be drawn with the proposal, the built form and detailing of the main house at No 31 differs to that of the appeal property, as does its location and in the use of brick to the front facing wall. As such, it is not directly comparable with the proposal. In any event, each development should be assessed on its own merits, as I have done here.
8. On the main issue, I conclude that the proposed development would be in keeping with the character and appearance of the host building and the local area. Accordingly, it does not conflict with Policy D3 of The London Plan, Policy CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document, Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document or the advice within the Council's Residential Design Guidance Supplementary Planning Document. Together, these policies and guidance aim to ensure that all development preserves or enhances local character and respects the appearance, scale, and pattern of surrounding buildings.
9. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building.

Conclusion

10. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR