



Appeal Decision

Site visit made on 17 July 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/N5090/D/24/3342485

128 Hendon Way, Barnet, London NW2 2NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Amir Abbasi against the decision of the Council of the London Borough of Barnet.
 - The application Ref is 24/0434/HSE.
 - The development proposed is described as alterations to existing ground floor side-rear extension and construction of two storey side extension plus first floor rear extensions to single dwelling house.
-

Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

3. Fronting either side of Hendon Way, which is a wide dual carriageway, are predominantly semi-detached dwellings some of which have been altered by the erection of side and roof extensions. There are generally gaps of varying widths at least at first floor level between each pair of semi-detached dwellings. These gaps mean that the pairs of semi-detached dwellings contribute positively to a distinctive pattern of residential development fronting the road and this makes a positive contribution to the rhythm, character and appearance of the streetscene.
4. Between Nos. 71 to 73 there are limited gaps at first floor level between the pairs of semi-detached dwellings because of the siting of the flank walls associated with 2-storey side extensions. There is the visual and physical impression of terracing because these pairs of semi-detached dwellings are indistinct. The lack of gaps, particularly at first floor level, noticeably detracts from the pattern and rhythm of development fronting this part of the road. The planning history of these dwellings is unknown, including whether the works pre or post date the current development plan policies and other guidance. Accordingly, only limited weight is given to these other schemes in the determination of this appeal

5. The appeal property is an altered 2-storey semi-detached dwelling which includes a single storey side addition whose flank wall is sited adjacent to the shared boundary with No. 130. This neighbouring property has been altered by the erection of a 2-storey side extension where the flank wall is side at first floor level is sited close the shared boundary. There is a distinct gap at first floor level between the property and No. 130.
6. The design of the proposed side extension would result in a 2-storey flank wall being sited about 1 metre away from the shared boundary with No. 130. This siting would accord with the guidance for side extensions included in the Council's *Residential Design Guide Supplementary Planning Document* (RDG). Other elements of the guidance would also be reflected in the design of the extension, including the same roof pitch as the host property, a lower ridge height than the host property and similar fenestration.
7. However, the RDG does include guidance that there should normally be a minimum gap of 2-metres between the flank walls of properties at first floor level to reduce the visual impact of 2-storey or first floor side extensions. This element of the guidance would not be achieved by the appeal scheme and there would be a loss of the distinct gap between the property and No. 130 at first floor level.
8. Although the appellant's claims about the RDG only being guidance and a minimum gap of 1 metre between the boundary would be achieved, in this case because of the siting of the existing flank walls of No. 130 and the proposed side extension, the appeal scheme would result in the visual and physical impression of terracing which would noticeably detract from the pattern and rhythm of the pairs of semi-detached properties fronting this part of the road where there are wider gaps, at least at first floor level.
9. Although some elements of the design would accord with the guidance contained in the RDG, for the reasons given it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, as such, it would conflict with Policy CS5 of Barnet's Local Plan Core Strategy Development Plan Document (CS) and Policy DM01 of the Barnet's Development Management Policies Development Plan Document. Amongst other matters, these policies promote high quality development which respects and responds to local characteristics, context and distinctiveness and proposals being based on an understanding of local characteristics, including the pattern of surrounding buildings. CS Policies CS NPPF and CS1 are general strategy statements rather than development management policies. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR