



Appeal Decisions

Site visit made on 21 November 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2024

Appeal A Ref: APP/N5090/W/23/3321846

18A and 18B Plantagenet Road, New Barnet, Barnet EN5 5JG

- 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 Kevin Hayes (KCH Contractors Ltd) against the decision of the Council of the London Borough of Barnet.
 - The application Ref 22/4650/FUL.
 - The development proposed is raising of existing pitched roof and first floor front extension to create a new studio flat at second floor level. Alterations to existing vehicular access.
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Appeal B Ref: APP/N5090/W/23/3321841

18A and 18B Plantagenet Road, New Barnet, Barnet EN5 5JG

- 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 Kevin Hayes (KCH Contractors Ltd) against the decision of the Council of the London Borough of Barnet.
 - The application Ref 23/0602/FUL.
 - The development proposed is replacement of existing pitched roof with gable roof and first floor front extension to create a new studio flat at second floor level. Alterations to existing vehicular access.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site. They differ only in the detail of the design of the proposed alterations. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
4. A revised National Planning Policy Framework (the Framework) was published by the Government on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

5. The main issue in both appeals is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal property is a two storey detached building occupied by a ground floor and first floor flat. It lies in a mixed commercial and residential area with a mix of two and three storey buildings which are of a variety of designs and sizes.
7. The property lies between No 20a, a relatively modest two storey building and No 18 which is a larger and higher three storey building. Both the buildings and Plantagenet Road increase in height travelling in a southerly direction along the road which gives a regular rhythm to the street scene and is an important characteristic of the area. The height, massing and design of the appeal properties allows it to complement the character of the area and not disrupt the gradual rise in heights of properties along the street.
8. Appeal A would retain a similar roof pitch with end gables to the existing building. It would however be substantially higher than neighbouring No 20a, with the eaves higher than the larger No 18. It would therefore be dominant in the street scene and remove the gradual increase in roof heights that is an important characteristic of the area. The increase in height of the side elevation would result in a large expanse of rendered wall which would be particularly dominant in views from the southerly direction.
9. Appeal B would introduce a gabled roof which would be a similar height to the gable of No 18. The height of eaves and ridge would be substantially higher than and dominate No 20a. It would result in a large expanse of roof being visible when approaching the site, particularly the elevation closest to No 20a due to the pitch and height of the ridge. It would appear as an incongruous and dominant feature in the street scene. Additionally, the size and position of the proposed second floor windows would not align with the size and layout of the existing fenestration details to the rear and new windows to the lower floors and would appear as a discordant addition to the property.
10. I conclude that both Appeal A and Appeal B proposals would cause significant harm the character and appearance of the area. They would conflict with Policies CS NPPF, CS1 and CS5 of the Barnet Local Plan Core Strategy and Policy DM01 of the Barnet Local Plan Development Management Policies which together, amongst other matters seek to ensure that development respects local context, character, scale, mass and height of surrounding buildings. They would also conflict with the guidance in the Residential Design Guidance Supplementary Planning Document which has similar aims.

Other Matters

11. There have been previous appeals relating to the appeal site.¹ The appellant has sought to address the matters raised in those appeals through changes to the proposal. I have however determined these appeals on their own merits.
12. I note that the appeal site is not within a conservation area, there are no Tree Preservation Orders within the site and that there are no listed buildings adjoining the site. These are however neutral matters in determining the appeals.

¹ APP/N5090/W/19/3242569, APP/N5090/W/21/3289505

Conclusion and Planning Balance

13. The Government's objective as set out in the National Planning Policy Framework is to support housing growth. The proposed development would result in only a slight increase in the Council's overall housing number. Nevertheless, I give this matter moderate weight in favour of the proposed development.
14. However, the harm that I have identified that would be caused to the character and appearance of the area attracts significant weight that outweighs the benefits associated with the proposed development.
15. Both appeal proposals conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeals should be dismissed.

H Senior

INSPECTOR