



Appeal Decision

Site visit made on 26 September 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2024

Appeal Ref: APP/N5090/W/24/3344599

Fenton House, Hadley Green West, Barnet EN5 4PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr and Mrs Curtis against the decision of the Council of the London Borough of Barnet.
- The application reference is 24/0823/S73.
- The application sought planning permission for alterations and reconstruction of the main roof to include 2no. rear dormer windows 2 no rooflights and 2no. front facing conservation rooflights. Reconstruction of one ground floor rear bay window. Replacement of window with double glazed windows. Replacement of external timber doors and fanlights throughout the property with new, timber French doors. Replacement and widening of the front entrance door and sidelights. Addition of a timber sash window to the first-floor southern elevation. Single storey side extension to the pool house, Alterations to the existing annex including single storey front and rear extension, reconstruction of the roof including replacement of 2no. front and rear dormer windows and new glazed link to house without complying with a condition attached to planning permission Ref 23/5133/HSE, dated 20 February 2024.
- The condition in dispute is No 1, which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Planning Portal Reference PP-12589422v1 Date produced 01 Dec 2023, Existing and Proposed Site Layout Plan Drawing Number 1728P.02 Revision C Dated 01/11/23, Existing Elevations Drawing Number 1728P.07 Revision A Dated 01/11/23 Proposed Elevations Drawing Number 1728P.08 Revision C Dated 01/11/23, Existing Ground and First Floor Plans Drawing Number 1728P.03 Revision A Dated 01/11/23, Proposed Ground and First Floor Plans Drawing Number 1728P.05 Revision C Dated 01/11/23, Existing Loft and Roof Plans Drawing Number 1728P.04 Revision A Dated 01/11/23, Proposed Loft and Roof Plans Drawing Number 1728P.06 Revision C Dated 01/11/23, Pool House and Sections Drawing Number 1728P.09 Revision C Dated 01/11/23 Tree Report Ref S1080-J3-R-1JOHN CROMAR'S ARBORICULTURAL COMPANY LTD, Existing and proposed block plan Drawing Number 1728P.01 Revision A Dated 01/11/23
- The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

Decision

1. The appeal is dismissed.

Background

2. Planning permission has recently been granted to alter Fenton House, which is a 2-storey detached house with access from Hadley Green West. The approved scheme also includes changes to the annex at one side of the main house with a ground floor link introduced between them. The appellants seek to amend the development by introducing a first floor to this link and by replacing 2 roof lights with 2 pitched roof dormer extensions on the main rear roof slope.

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 site falls within the Monken Hadley Conservation Area (CA). Accordingly, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.
5. The Monken Hadley Conservation Area Character Appraisal Statement (CAS) describes the houses along Hadley Green West as quite large and varying in style and quality of design but attractive and largely unaltered, in a pleasant setting. Fenton House is one such example. Although a relatively recent addition to the local area, the appeal property has an attractive Georgian style. Key features include a broadly symmetrical form, a hierarchical pattern of fenestration, a central front panel door, an entablature supported by decorative pilasters, pitched roof slopes set back from the main walls and chimneystacks.
6. Fenton House is not a listed building. Nevertheless, it typifies the individual style and substantial built form of properties along Hadley Green West. As such, it adds to the welcome sense of cohesion to existing development within this part of the CA. Because Fenton House is also set back from the access road within a good-sized landscaped plot, it also positively contributes to the area's low density, verdant and suburban character, which is locally distinctive. For these reasons, I consider that the appeal property is a positive contributor to the significance of the CA as a designated heritage asset.

The first-floor link

7. Like the approved link, the proposal would be set back from the front wall of the main house. It would also include a pitched roof slope that would angle away from view, when seen from the front and back gardens of the property. This arrangement would subdue the visual impact of the new addition, as would its position just below the ridge of the annex.
8. However, the link, as proposed, would be noticeably taller and more substantial in-built form than its approved counterpart. As a result, the connection between the house and annex would gain some prominence and the space between them would be diminished. The link would therefore become a notable feature of the finished building rather than a largely inconspicuous element between the house and the annex, as approved. In combination, these factors would alter the balance of space around the house and annex to visually 'read' more as a single entity rather than a property with 2 distinct elements comprising a main house and a smaller outbuilding.

9. By more closely resembling a sizeable, attached side extension, the annex would visually compete with and thus detract from the main house. The double garage would become more visually integrated with the front elevation of the main house and, in so doing, draw the eye as a more incongruous feature. In my experience, this arrangement would be uncharacteristic of a building in the era that the design seeks to mimic. The full-length front panels of the double garage would also relate more poorly to the pattern of openings in the main front façade. While a garage is a reasonable modern-day expectation of residential occupiers, the approved scheme incorporates this space into an annex that more closely resembles a smaller outbuilding, which is not unexpected in a typical residential setting. This arrangement would be less awkward than that of the proposal.
10. The overall visual effect of the new first floor link would be unconvincing. It would undermine the architectural style of Fenton House, detract from its character and appearance, and diminish the contribution of the property to the CA. As a result, the proposal would fail to preserve the character of the CA.

The rear dormers

11. The proposal would result in a row of four identical pitched roof dormers evenly spaced across main rear roof slope. Compared to the approved scheme, which includes a conservation style roof light on either side of two such dormers, the proposal would add scale and bulk to the roofscape. The resultant line of dormers would also form a prominent and repetitive feature on the rear roof.
12. Nevertheless, each new dormer would be modest in size and a proportionate addition to the much larger rear roofscape. By sitting comfortably in the gap between the edge of the roof on one side and an approved dormer on the other, with ample space both above and below, the proposal would allow the main roof slope to remain clearly legible. The design of the new dormers would replicate their approved counterparts, and the size and position of their windows would be consistent with the hierarchical pattern of openings in the rear elevation.
13. For all these reasons, the new dormers would be a sympathetic addition. The completed rear roofscape would not be uncluttered. However, clean and simple rooflines would be retained with the new built form in place. Given their position at the back of the appeal property and the partial screening provided by existing trees, the new dormers would not be readily evident beyond the back garden of Fenton House and possibly from neighbouring properties. In that limited context, the proposal would not draw the eye as visually intrusive or discordant features. The new dormers would neither add nor detract from the character or appearance of the CA. Consequently, the overall effect of this aspect of the appeal scheme would be neutral.

Public benefits and planning balance

14. The Framework states that when considering the impact of a proposal on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation. Given the modest scale of the proposal relative to the considerable size of the CA, the harm would be less than substantial. In those circumstances, the Framework states that the harm should be weighed against the public benefits.

15. The proposal would provide a more convenient internal link between the annex and the main house at first floor level. However, this is mainly a private benefit to the appellants. No public benefits have been put forward.
16. Overall, the level of harm caused by the new first floor link on the host building and the CA would be significant. The overall effect of the proposed dormers would be neutral. No public benefits have been put forward. Therefore, the planning balance is tipped against the appeal scheme.

Conclusion on the main issue

17. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. It is therefore contrary to Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan (Core Strategy) and Policies DM01 and DM06 of Barnet's Local Plan (Development Management Policies). These policies aim to secure high quality design based on an understanding of local characteristics, respecting local distinctiveness and protecting or enhancing heritage assets.

Conclusion

18. The proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR