

Appeal Decision

Site visit made on 29 September 2016

by J A B Gresty MA MRICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 October 2016

Appeal Ref: APP/N5090/W/16/3148764

10 Fairmead Crescent, Edgware, Barnet HA8 8YQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr H Bright against the Council for the London Borough of Barnet.
 - The application Ref 15/07874/HSE, is dated 22 December 2015.
 - The development proposed is a single storey rear extension and roof extension / conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and roof extension / conversion at 10 Fairmead Crescent, Edgware, Barnet HA8 8YQ in accordance with the terms of the application, Ref 15/07874/HSE, is dated 22 December 2015, 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 materials to be used in the external surfaces of the extension shall match those used in the existing building.
 - 3) The first floor accommodation in the roof space of the extension hereby permitted shall not be occupied until the window of the side dormer facing 8 Fairmead Crescent has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed above ground floor level on the side elevations of the development hereby permitted.
 - 5) The roof of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.
 - 6) The development hereby permitted shall be carried out in accordance with the following approved plans: 1521-01, 1521-02, 1521-101 & 1521-111.
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Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The appeal property is a semi-detached bungalow situated on a residential road which is characterised by modest sized, semi-detached bungalows and dormer bungalows with good sized plots and set back from the road behind front driveways and gardens. The appeal proposal includes a single-storey rear extension which would have accommodation built into the roof space.
4. The extension would span nearly the whole width of the rear elevation of the bungalow and would project about 4 metres from the main building, about a metre more than a single-storey extension of the adjoining property at No 12, which stands next to the boundary with No 10. The appeal property has a good sized back garden and there would be space between the extension and the boundary fence with No 8. The Barnet Local Plan Supplementary Planning Document: Residential Design Guidance (RDG) indicates that single-storey extensions of semi-detached properties should not normally project more than 3.5 metres from the host building. However, the extension would appear subservient to the host building and property as a whole and, although slightly deeper than would normally be acceptable, with respect to both its width and depth I consider that the extension would accord with the aims of good design sought by the RDG.
5. The rear extension would have a part-hipped roof to complement the style of the existing building. The height of the roof would be slightly higher than the roof of the existing projection at the front of the property but it would be set well below the height of the ridge of the main body of the roof. Built into the roof would be a flat-roofed dormer which would occupy about a third of the width of the bungalow. As a consequence of its height, design and limited bulk in relation to the roof of the host building, the roof and first floor accommodation of the extension would be in keeping with the character and appearance of the appeal property and pair of bungalows as a whole.
6. The appeal scheme would include a flat-roofed dormer in the side elevation of the bungalow's roof. The dormer would be small in relation to the size of the roof and it would sit well below the ridge height of the main roof. Whilst the flat-roofed design of the dormer would not reflect the hipped design of the main bungalow roof and the dormer would be visible from the road at the front of the property, because of its small size, it would not be a prominent feature in the street scene and it would reflect the flat-roofed dormers of other nearby properties which are visible from the road.
7. Although the proposed extension would be a substantial addition to the appeal property, its size and bulk would be subservient to the existing building and its design would be in keeping with the pair of bungalows as a whole. Further, the neighbouring properties have ground floor rear extensions and prominent first floor dormer extensions. In these respects the proposed development would be in keeping with the character and appearance of the local area and overall the proposed development would accord with the design requirements of Barnet's

Local Plan Core Strategy Policies CS1 and CS 5 and Barnet's Local Plan Development Management Policy DM01.

Conclusion

8. At the heart of the National Planning Policy Framework (the Framework), there is a presumption in favour of sustainable development. Good design is a key aspect of sustainable development and new development should respond to local character. In this case the proposed extension would be in keeping with the host property whilst maintaining the character and appearance of the local area. Accordingly, on balance and for the above reasons, I conclude that the proposed extension would represent sustainable development as sought by the Framework and that the appeal should be allowed.

Conditions

9. In order to ensure the satisfactory appearance of the development, I consider that a condition requiring the materials used in the external surfaces of the extension to match those of the host building would be reasonable and necessary.
10. To protect the living conditions of the occupiers of the neighbouring properties, I impose a condition which would prevent new windows being installed in the side elevations of the development at first floor level without express consent of the local planning authority. The Council suggests that a condition should also prevent installation of doors. However, as practically these could only be built at ground floor level, I consider that this would be an unnecessary requirement.
11. There would be oblique views from the side dormer over No 8's garden and possibly into its nearby first floor windows. In order to protect the privacy of the occupiers of No 8, I impose a condition requiring the side dormer window to be obscure glazed.
12. The roof of the rear dormer could potentially be used as an outdoor amenity area. There would be clear views into the neighbouring property gardens from on top of the dormer. Although use of the roof as a recreational space is unlikely, its use as a recreational area could result in significant harm to the living conditions of the occupiers of nearby properties as a result of loss of privacy. Therefore, to protect the living conditions of the occupiers of the neighbouring properties, I concur with the Council that a condition preventing use of the roof as an outdoor amenity area would be reasonable.
13. For the sake of clarity, I impose a condition requiring the development to be carried out in accordance with the approved plans.

J A B Gresty

INSPECTOR