
Appeal Decision

Site visit made on 10 February 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 01 March 2017

Appeal Ref: APP/N5090/D/16/3165474

12 Sunnydale Gardens, Mill Hill, London, NW7 3PG

- 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 & Mrs Rowlatt against the decision of the Council of the London Borough of Barnet.
 - The application Ref 16/5539/HSE dated 12 August 2016 was refused by notice dated 19 October 2016.
 - The development proposed is a part-two storey, part single-storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part-two storey, part single-storey side and rear extension at 12 Sunnydale Gardens, Mill Hill, London, NW7 3PG in accordance with the terms of the application Ref 16/5539/HSE dated 12 August 2016 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: Drg No's: P/1574/1, P/1574/2, P/1574/3 and P/1574/4.
 - 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.
 - 4) The development hereby permitted shall not be occupied until the first-floor window on the eastern elevation facing No. 10 Sunnydale Gardens has been fitted with obscured glazing, and no part of that window that is less than 1.75 metres above any part of the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed, the obscured glazing shall be retained thereafter.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no windows or other
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openings additional to those shown on the approved plans shall be inserted in the first floor side elevations (facing No's 10 or 14 Sunnydale Gardens) of the extension hereby permitted.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

Reasons

3. The appeal property is a two-storey detached property which is located in a predominantly residential area. There are a variety of properties in the vicinity of the site, including semi-detached and detached properties and a bungalow dwelling. A range of styles and designs are similarly evident, with some properties having gable fronts at roof level, and with hipped roof forms also evident. The housing in the area is set back from the highway, and contain vegetation and trees within front gardens that give the area a pleasant, spacious setting which is further enhanced by grass verges and street trees.
4. The proposal is for part single and part two-storey extensions to the side and rear of the appeal property. The side extension would be set back from the main front elevation of the property at first floor level and also down from the existing property's ridge. At the front, it would also extend around half the width of the existing property, and for these reasons, I do not consider that it would appear as a bulky or incongruous addition.
5. I acknowledge that the first-floor element of the proposal would, overall, only be slightly less than the width of the existing house. However, this is due to the side two-storey element extending also across part of the rear of the property. Given this rear positioning, I consider the extent of its width would not be prominent in the streetscene, even in views from the side. The rearward element of the proposal would have a gable form at roof level that would be a subordinate reflection of the existing rear gable.
6. The Council have referred to the gable-end roof to be uncharacteristic of the dwellings in the immediate vicinity of the site but I was able to see at the time of my visit, that the appeal surroundings are characterised by a wide variety of roof designs, which include gable-ends to the front and side of roofs. The proposal would also consist of a dormer to the front of the proposed two storey extension. The Council have stated with reference to the Residential Design Guidance Supplementary Planning Document (SPD) that dormers on the front of houses will not generally be acceptable. However, the SPD at Paragraph 14.32 specifically refers to the front of semi-detached or terraced houses in this respect, whereas the appeal property is a detached dwelling. In any event, the dormer would be of a small scale, appearing as a subordinate feature on the roof of the dwelling. It would have a pitched roof with a gable front and it would be positioned at a level where the dormer window would align horizontally with the existing windows at first floor level to the front of the dwelling and vertically with the proposed window below. In this instance, I do not consider therefore the dormer would have an unbalancing effect or appear as an incongruous addition to the host property.

7. The Council has raised no concerns regarding the single storey element of the proposal. I have no reason to disagree with this position.
8. I therefore conclude that the proposal would not have an unacceptable adverse effect on the character and appearance of the host property and the area. It would not conflict with Policy DM01 of the Development Management Policies Development Plan Document, Policy CS5 of the Council's Core Strategy or the aims of the SPD, which seek, amongst other matters, high quality design.

Conclusion

9. For the reasons given above and having taken into account all other matters raised, including representations by a neighbouring occupier, I conclude the appeal should be allowed.

Conditions

10. In addition to the standard time condition, a condition is needed to secure compliance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I also consider a condition to be necessary to secure matching materials in the interests of the appearance of the building and the area.
11. A condition is also required to ensure that the side-facing window at first floor level on the eastern side of the extension is obscure glazed and limits are placed on its opening in the interests of the living conditions of neighbouring occupiers. A further condition is required to prevent the insertion of windows or openings in the side walls of the proposed extension for the same reason, although as I do not consider the Council's suggested condition relating to the prevention of the single storey extension's roof to be used as a balcony or amenity area is necessary as it is would have a pitched and not flat roof. The wording of some of the conditions has been altered for conciseness and enforceability without affecting their aims.

F Rafiq

INSPECTOR